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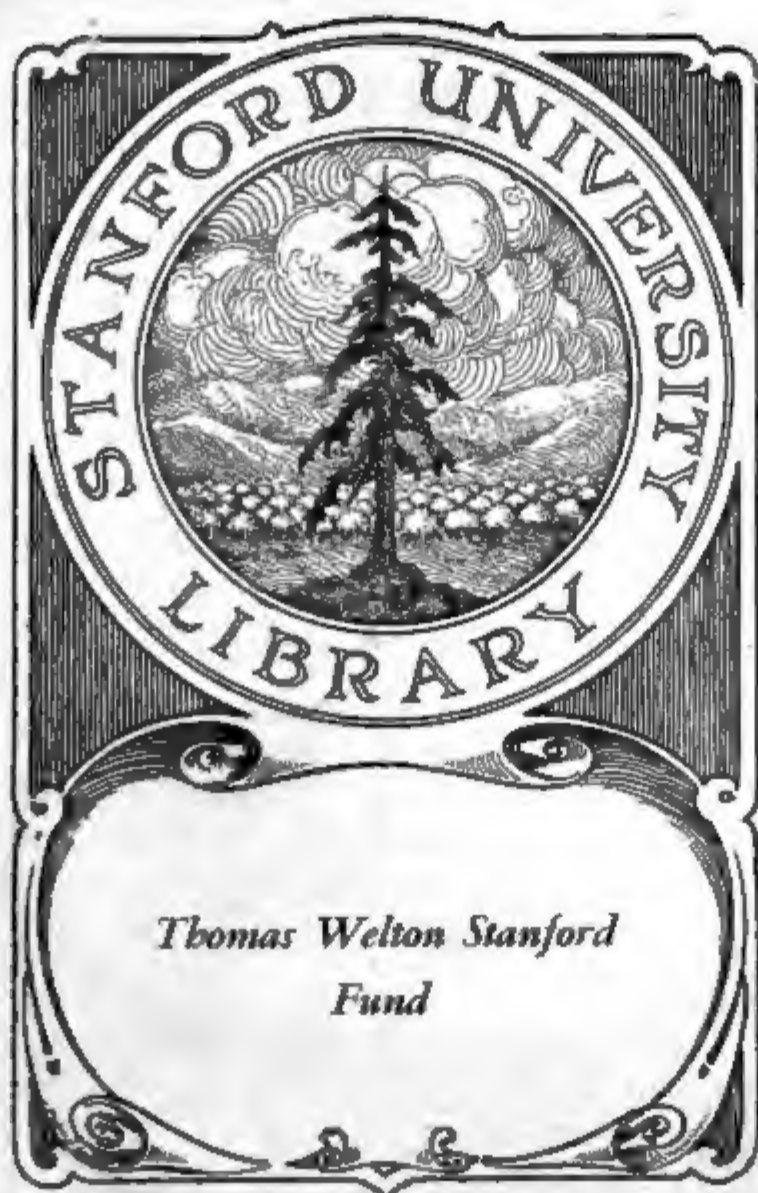
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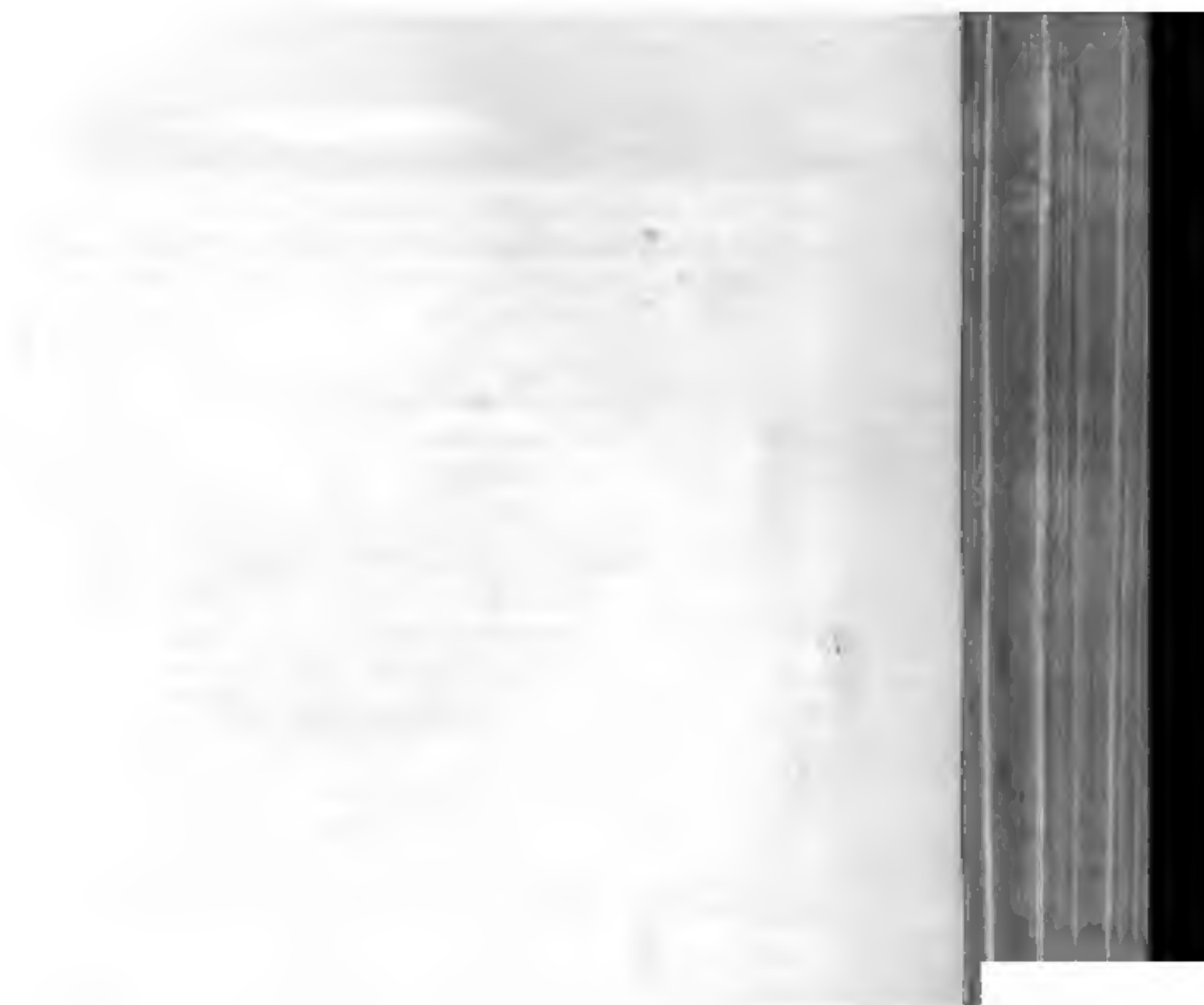
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ADMIRAL BLIGH.

From a Miniature
in the possession of his grandson, W. R. Bligh, Esq.

HISTORICAL RECORDS

OF

NEW SOUTH WALES.

VOL. VI.—KING AND BLIGH.

1806, 1807, 1808.

EDITED BY

F. M. BLADEN, F.R.H.S.,
BARRISTER-AT-LAW.



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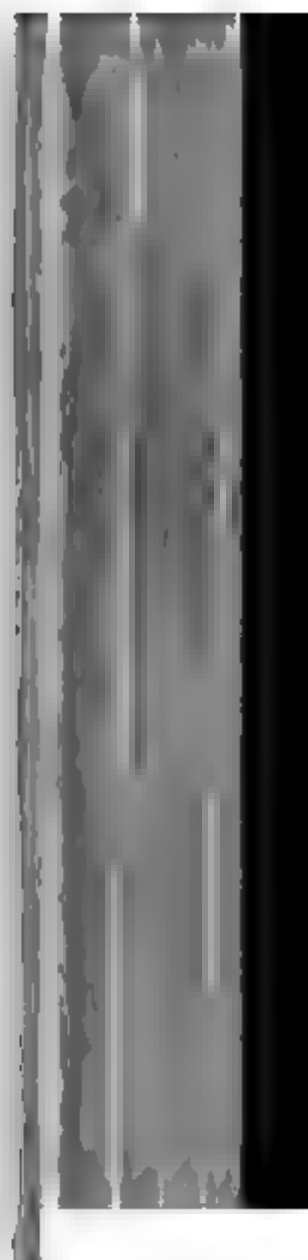
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PREFACE TO VOL. I.

BY THE LATE ALEXANDER BRITTON.

THE HISTORICAL RECORDS OF NEW SOUTH WALES are published with the object of affording the fullest information obtainable concerning the foundation, progress, and government of the mother colony of Australia. It was with a similar purpose that the publication was commenced, some years ago, of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS. All the material that the Government could command was placed at the disposal of the author of Vol. I—Mr. G. B. Barton—by whom this store of information was largely drawn upon. But when Vol. II of the HISTORY was in course of preparation it was considered desirable to make a change in the plan. It was determined that while the publication of the HISTORY should go on, the Records themselves, with the exception of those that were trivial or formal, should be printed in full, in separate volumes, so that the public might have, on the one hand, a historical work founded on official documents, and on the other, the material upon which the narrative had been based.

The adoption of this course serves a double purpose. In the first place, it enhances the value of the HISTORY, for it enables the reader to turn at any point from the narrative of the writer to the fuller information which the reports and despatches supply. The advantage gained by this treatment of the official papers is obvious. No matter how faithfully a writer of history may

perform his task, he cannot cover all the ground ; no matter how acutely he may criticise the actors who take part in the scenes he describes, he cannot exhibit them in so clear a light as they are shown in their own writings. Thus the publication of the Records may be regarded as desirable from the historical point of view.

In the second place, the printing of the Records gives immediate and lasting public value to State Papers which would otherwise be of service to the few—only those, in fact, who have leisure to search the bulky manuscripts which have been collected by the Government. In the absence of printed records, the inquirer who endeavours to learn in what manner New South Wales was founded—how the settlement was governed in the early days—by what steps it grew—how difficulties were encountered and overcome—what mistakes were made, and how they were corrected—by whom injustice was perpetrated, and in what way retribution fell upon the oppressor—can command no better sources of information than tradition, and the accounts of writers who had to make history from insufficient material. The publication of these Records will place at his disposal the best possible material, and enable him to draw his own conclusions from direct testimony.

It is not entirely a new departure that has been taken. The importance of preserving and reproducing national records is recognised in most civilised countries ; especially in Great Britain. In earlier times, when Ministers of the Crown treated official despatches as their private property, and on quitting office carried to their own houses manuscripts which belonged to the nation, little care was taken of the Records, and such a thing as giving information to the public concerning them does not appear to have had any place in the minds of those in authority. This indifference no longer exists. All public documents are carefully preserved ; inventories of them are taken, and they are accurately described in printed calendars. With a few exceptions, the State Papers of the United Kingdom are gathered together in one place—the Public Record Office, London—and are kept in the custody of the Master of the Rolls, who by the Public Record

Act (1 and 2 Vict., c. 94) is constituted Keeper of the Archives.* These stores of information are not simply hoarded up—they are treated in such a way as to be of general use, and to bring within easy reach of the historian the documentary evidence that he requires. Large volumes, entitled “Calendars of State Papers,” consisting of condensations of the documents in the Public Record Office and elsewhere from the days of Henry VIII to the Eighteenth Century, are in course of publication, while some of the earlier Records are printed in full.

In Canada the Records are scrupulously kept, and their contents disclosed for the information of the public. In 1872 the Dominion Government appointed an Archivist, and founded an Archives Office at Ottawa, where all the public records, with the exception of those retained by the provincial authorities, are stored. The papers consist partly of original documents, and partly of copies of old despatches and other manuscripts transcribed by a staff of writers from originals discovered by the Archivist in the London Record Office and Departments of State, and in the archives of Paris and other European cities. From time to time reports are issued in which the Records are described, and when considered necessary, printed in full. In this manner the public is placed in possession of information of the highest interest and importance relating to the early history of Canada which had never before seen the light.

In New South Wales, owing to the shorter period of time, and the smaller quantity of material to be dealt with, it is possible to do what would be impracticable under other circumstances, that is to say, to publish in full the Records of the Colony from its foundation. It has also been decided to publish all available correspondence concerning Captain Cook and his connection with Australian discovery. The Cook Papers form Part 1 of Vol. I. Part 2 of Vol. I contains the Records relating to the establishment of the Colony and its progress under Governor Phillip.

* With the exception of certain manuscripts in the British Museum and a few public libraries, most of the public muniments of the realm are now placed in one repository, and under the supervision of the Master of the Rolls.—*Encyclopædia Britannica*, ninth edition, vol. xx, p. 813.

When the settlement at Port Jackson was established the chief authority was vested in the Governor, who not only governed the Colony, but administered its affairs. The civil business was conducted nominally by a staff, but much of the work fell upon the Governor, who had to deal with matters which would be settled in the present day by an ordinary clerk. He was also at the head of the naval and military forces, and was the principal, it may almost be said the only, channel of communication between the Colonial Government and the English authorities. The reasons which led the English Government to plant a convict settlement in New South Wales are only briefly indicated in the scanty papers discovered in the State Departments; but when the Colony had been established, its affairs formed the subject of periodical letters from the Governors, who wrote fully about the concerns of the settlement, receiving in reply despatches for their guidance and instruction. Most of this correspondence has been preserved in the English Departments of State, either in the original or in official copies; and is of considerable interest. The despatches are full of information. The Governors were required by their Instructions to keep the Home authorities well informed about matters great and small; and, in the despatches sent to London, almost every transaction that took place is minutely described. More than this, copies of all the Proclamations and Orders, issued by the Governor and the military commander, were forwarded for the information of the English authorities. These documents are recorded with the other State Papers.

The history of the early years of New South Wales is founded mainly upon the despatches sent by the Governors to the authorities in England, and the despatches received by them in reply. The Records are comprised within measurable bounds, and as they are the chief material out of which history must be made, it has been decided to print them as they stand.

This course has been adopted on the recommendation of a Board, consisting of the late Hon. Geoffrey Eagar, Under Secretary for Finance and Trade from 1872 to 1891; Alexander Oliver, M.A., President of the Land Appeal Court, and formerly the Parliamentary Draftsman; Professor G. Arnold Wood, B.A.,

Challis Professor of History at the Sydney University ; and R. C. Walker, Principal Librarian, Public Library. The Board having ascertained the nature of the documents at the disposal of the Government, came to the conclusion that the design with which the publication of the Official History was commenced could not be fully carried out unless the State Papers and other official documents upon which the work was based were made as accessible to the public as the History itself. They therefore recommended, in the month of March, 1891, that the publication of the Records was not only desirable but necessary. The proposal received the approval of the then Colonial Treasurer, the Hon. William McMillan, who gave the necessary authority to carry out the work, on the lines recommended by the Board. Arrangements were made, accordingly, for printing and publishing the despatches, reports, letters and other papers which had been collected.

While the best use has been made of the material at command, the Records of the early days of the Colony cannot be presented in an absolutely complete form. Every paper of consequence that has been discovered, or may be discovered hereafter, will be published ; but unfortunately manuscripts of great interest and importance, which are known to have existed, cannot now be found. The most valuable of the early Records are the despatches sent to England by the Governors, and the despatches received by the Governors from the authorities in London. At Government House, Sydney, there are a number of letter-books containing copies of the despatches sent to England, and the original despatches received from the Home authorities ; but these Records, instead of going back to 1788, the year in which New South Wales was founded, begin with 1800. Of the despatches received and sent before that date, during the Governorships of Phillip and Hunter, and the Lieutenant-Governorships of Grose and Paterson, there is no trace. What has become of them it is impossible to say. A hundred years ago State Papers were not so carefully guarded as they are now ; the English system was loose, and it would have been surprising if greater care had been taken in Sydney than in London. Some of the early Australian Governors

may have taken their papers with them when they left office. On that supposition the disappearance of the despatches from 1788 to 1800 is readily explained ; but even then the whole case is not met, for public Records of which the Governors were not the custodians are also missing.

There are circumstances, however, which discourage the view that Governors' despatches in the early days were treated as the property of those to whom they were sent. It is certain that they were not so treated by Governor King, and there seems to be no reason why Phillip and Hunter, Grose and Paterson, should have followed a different practice. We have the means of knowing exactly the course pursued by Hunter's immediate successor. The Hon. Philip Gidley King, M.L.C., has placed at the disposal of the Government the books and papers left by his grandfather, Governor King ; but, while these manuscripts include copies of most, if not all, of the despatches received by King from the English Ministers and Under-Secretaries of State, no originals are to be found. The despatches have been copied into letter-books, some by King himself, some by his secretary ; but, while many unofficial letters to King are among the papers, the originals of the Home despatches are wanting. The inference is plain. If King had at any time regarded the English despatches as his own property, he would not have gone to the trouble of copying them, and the originals would have been found among his papers. He was exceedingly careful about his correspondence, preserving communications of all kinds, whether trivial or important, but duplicating nothing. When an original document is met with there is no copy. And the manuscripts at Government House show that when King relinquished the government he left the originals of the English despatches in the office. If in doing so he acted in accordance with the recognised practice, the presumption is that his predecessors—Governors Phillip and Hunter, and Lieutenant-Governors Grose and Paterson—treated in the same way the despatches received by them.

What then has become of these manuscripts ? Most probably they have been destroyed ; but by whom, or with what object, can only be conjectured. That the missing despatches met with

this fate is the more likely from the fact previously stated—that public Records of corresponding dates, for which the Governors were not responsible, have also disappeared. A strong-room in the Colonial Secretary's Office, Sydney, contains all the original Records of New South Wales that can be found in the Colony. These papers have been examined and scheduled, and it may be seen at a glance of what they consist. They begin with a General Order, dated 7th August, 1789, "Instructions to the Night Watch." Two other Orders of no particular importance follow, and these are all out of the many hundreds issued during Phillip's Governorship that appear to have been preserved. There is only one official paper of the time in which Lieutenant-Governor Grose ruled—December, 1792, to December, 1794; and none whatever belonging to the administration of Lieutenant-Governor Paterson—December, 1794, to September, 1795. Hunter's Governorship, which covered more than five years—11th September, 1795, to 27th September, 1800—is represented by one book containing copies of the Orders made from September, 1795, to December, 1797, and five or six papers of minor importance. Papers belonging to the King period, 1800 to 1806, are more numerous; but the Records are scanty and intermittent until the term of Governor Macquarie is reached—January, 1810. No despatches to or from any of the Governors or Lieutenant-Governors have been preserved in this Office. The only manuscripts of this class in Sydney are preserved at Government House.

The Records, so far as Sydney is concerned, are thus defective in two respects. In the first place, the despatches from the foundation of the Colony up to the beginning of 1800 are wanting; in the second place, the Orders, Proclamations, and other official papers showing how authority was exercised in the early days are found only in fragments—in fact, they can scarcely be said to exist.

But for the active search made in London by Mr. James Bonwick, F.R.G.S., the early Records of New South Wales would have been little better than a blank. The despatches sent to England by the Governors, as well as the despatches and letters transmitted to them, have been preserved, if not as

completely as could have been wished, yet to a very large extent, in the Departments of State. These departments have been thrown open to the Government, and the transcriptions that have been made repair, so far as it can be repaired, the loss of the early Colonial Records.

The examination of these valuable sources of information was commenced in April, 1887, when the then Colonial Secretary, Sir Henry Parkes, through the Agent-General, authorized Mr. Bonwick to make copies of certain despatches which he had discovered. In the following year, in view of the publication of the *HISTORY OF NEW SOUTH WALES FROM THE RECORDS*, authority was given for the transcription of documents relating to the period during which Governor Phillip was at the head of affairs, i.e., 1788–1792. The information obtained in this way proved so interesting and valuable that Mr. Bonwick was instructed to continue his researches among the early Records of the Colony, and the work has since gone on without interruption. The manuscript Records were not readily accessible; they had to be gathered from many departments. The Governors in the early days were not only responsible to the Home Office, but, as naval officers, they also owed allegiance to the Admiralty, consequently they had to correspond with the Home Secretary and the Lords Commissioners of the Admiralty, and with the Under-Secretaries of those departments. Each department and sub-department kept two letter-books, one for the Minister and the other for the Under-Secretary, so that it was necessary to examine four different sources of information for the purpose of discovering what had passed between the Governors and the English authorities.

In dealing with the Records belonging to a still earlier period—that in which the establishment of a settlement in New South Wales was discussed—the ground to be covered was wider still, though not so productive. In making preparations for the despatch of the First Fleet many departments and sub-departments were engaged—the Home Office, which had general direction of the business; the Admiralty, which undertook the equipment and officering of the ships, and the appointment of the force of marines which guarded the transports and formed the garrison at Port

Jackson; the Treasury, which made the financial arrangements; the Transport Office, which had to do with the convict-ships; and the Victualling Department, which provisioned the fleet. When the marines were replaced by the special corps raised by Major Grose, known afterwards as the New South Wales Corps, another Department of State, that of War, was brought into operation; and, accordingly, correspondence between that Department and the Home Office, and between the officials at the War Office and the officers of the Corps, took its place amongst the Records. Three of the transports which, with the warship *Sirius* and its tender the *Supply*, constituted the First Fleet, were under charter to the East India Company to take cargoes of tea from China to London, after landing convicts and stores at Port Jackson; and, at a subsequent stage, the Company, in its opposition to Australian trade with the East, figured largely in the official correspondence relating to New South Wales. The Records of the India Office are therefore another source of information.

The transcripts which have been despatched to Sydney are thus gathered from a wide field, embracing as it does the Public Record Office, the British Museum, the Home Office, the Colonial Office, the War Office, the Privy Council Office, the Admiralty, the India Office, and Somerset House. The documents had to be searched for, and the work was not without difficulty, owing to the imperfect and unsystematic way in which official records were kept in the early days. Some documents—the earlier Orders and Proclamations, for example—cannot be found at all; others, which were believed to be missing, such as the Commissions of the early Governors, have been discovered in the Home Office, after a patient search, in which valuable assistance was given by the officers of the department. A number of the despatches copied by the transcribers in London escaped notice in the first instance because they had been placed amongst papers relating to the American colonies.

While the principal storehouse of facts concerning the early days of the Colony is the Public Record Office and the Departments of State in London, information has been obtained from other sources. Six years ago the Agent-General, Sir Saul

Samuel, acting under instructions from the Government at Sydney, purchased from Lord Brabourne a valuable collection of papers relating to the settlement of New South Wales. They were once known as "The Brabourne Papers"; they are now known as "The Banks Papers." The grandfather of the present Lord Brabourne was related to Sir Joseph Banks, and, in that way, the papers came into the possession of the Brabourne family. Sir Joseph Banks, as pointed out in Vol. I of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS, took an active part in the consultations and negotiations which led to the settlement of the Colony; and there can be no doubt that his representations, founded upon what he saw of the country during his visit to Botany Bay with Captain Cook in the Endeavour, did a great deal towards bringing about the settlement of New South Wales. After the Colony had been established he watched its fortunes with a parental eye, and the deep interest which he took in its welfare is shown by the correspondence that has come, through Lord Brabourne, into the possession of the Government of New South Wales. These manuscripts are apparently only a part of the papers that Sir Joseph kept with regard to this Colony. The "Banks Papers" were discovered by accident in Sir Joseph Banks's old house in Soho Square, but these manuscripts are only a portion of the correspondence which Sir Joseph had with English Ministers, and with Australian Governors, settlers, and explorers. Many of his manuscripts relating to Australian affairs have been lost or destroyed. The papers begin with four letters from Captain Cook (originals), and go up to 1814, six years before Sir Joseph's death. The absence of letters to or from Phillip, with whom Sir Joseph Banks corresponded, the fact that there are no manuscripts of later date than 1814, and other considerations, indicate that the collection, precious as it is, is only the remnant of a large store of papers relating to the foundation and settlement of New South Wales.

The manuscripts of Governor King, referred to on page x, which have been lent to the Government by the Hon. Philip Gidley King, M.L.C., are extensive and important. They consist of a Journal, in two volumes, kept partly on board the

—

Sirius* on the voyage from England to Botany Bay with the First Fleet of Transports, and partly at Norfolk Island, where King acted as Commandant and Superintendent from March, 1788, to March, 1790, under a Commission issued by Phillip as Governor of New South Wales and its Dependencies; a letter-book, containing copies of despatches received and sent both during King's term as Commandant and during his subsequent command as Lieutenant-Governor, under Commission from the Crown, from November, 1791, to October, 1796; four letter-books, kept during his term as Governor of New South Wales, from September, 1800, to August, 1806; and original letters and despatches, extending from 1799 to 1811. It should be pointed out with regard to the despatches recorded in the letter-books that King during his first term at Norfolk Island corresponded with Governor Phillip, from whom he derived his authority; while during his Lieutenant-Governorship at Norfolk Island and his Governorship at Sydney he was in direct communication with the Home Office and other Departments of State in England. While acting as Lieutenant-Governor of Norfolk Island, from November, 1791, to October, 1796, King wrote a Second Journal, a copy of which is amongst the transcripts sent from England to the Government in Sydney.

As the papers given in these volumes form the basis of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS, which is published concurrently, they are presented without comment, and without any attempt to explain the story they tell. The proper place for description, analysis, and comment is the History itself. The Records are given here as they were found, and they speak for themselves. Where it has been considered necessary to explain the relation of papers to each other, or to give information concerning persons and places, as an aid to the reader in studying the Records, the Editor has written the necessary notes, which are printed at the foot of the page, but no alteration of the text has been made in any case. Errors of composition and spelling are allowed to go without correction; in a word, the Records as printed are literal transcripts of the originals. This is the plan

* King came out to New South Wales as Second Lieutenant of the Sirius.

now generally adopted in the reproduction of manuscripts ; indeed no other course could be pursued without mutilating the originals. The papers are arranged in chronological order, except where a despatch of a given date contains enclosures of earlier dates ; and a comprehensive Index is given with each volume.

It will be noticed in examining the Records from 1783 to 1789 that duplicates are given of some of the documents printed in Vol. I of the HISTORY OF NEW SOUTH WALES FROM THE RECORDS. It was impossible to avoid this repetition. The Records stand by themselves, and they must be given intact. For this reason, the documents published in Vol. I of the History have been reprinted ; in future issues, however, repetitions will not occur. In the Historical Records will be found the full text of the papers ; in the History they will be digested and explained. The writer of Vol. I made such use of the manuscripts as the space at his disposal allowed ; the broader plan now adopted gives the facts in one set of volumes and the historical narrative in another. In this way the full Records will appear in print, while the History will not be burdened by long extracts and quotations. It is believed that by the adoption of this course the convenience of the reader will be consulted, and the object which the Government has in view carried into effect.

ALEXANDER BRITTON.

VOL. VI.

CONTENTS.

	PAGE
PREFACE	v
INTRODUCTION	xxxi
OFFICIAL RECORDS, 1806-1808... ..	1-820
APPENDIX A—ADDITIONAL CORRESPONDENCE, 1806-1808 ...	823
APPENDIX B—GENERAL ORDERS, NEWCASTLE, 1805-6 ...	836

SYNOPSIS OF CONTENTS.

LETTERS AND DESPATCHES.

	PAGES
ng	84, 520
igh	532
iffin	574
ng	22, 30, 51
gh	430
ag	15
carthur... ..	389, 412, 418, 419
gh	705
t. Bligh	816
ey	704
it... ..	31
g... ..	187
rsden	16
terhouse.. ..	109
h	455, 457, 459, 460, 461, 464, 511, 512, 516, 519, 540, 544, 545, 547, 548, 566, 567, 569, 570, 594
ison	518
ntworth... ..	459
ton	655
to Chapman	301
to ————	308
is	378
y... ..	459
ereagh	46, 55, 607, 657, 681, 709, 748, 787, 807
e	755
aux	712-20, 748, 749, 791-4
ston	427, 433, 456, 460, 463, 517, 518, 521, 542, 544, 545, 546, 547 564, 565, 567, 568
... ..	714, 715
den	46, 81, 208
bers of Court	425, 426, 427, 433
orialists	166
son	701
... ..	230, 283
... ..	629
... ..	211
ife	756, 799
lham	174, 175, 199, 246, 259, 287, 349, 366, 368

LETTERS AND DESPATCHES—continued.

	PA
Bligh, Elizabeth, to Banks	417, 461, 8
„ „ to Pole ... ..	... 4
Bond to the Duke of York ... ..	...
Brookes to Finucane	743, 744, 7
Brown to Banks ... ..	... 5
„ to Dr. Smith ... ..	... ..
Budge, W., to ——— ... ..	... 5
Caley to Banks	65, 685, 7
„ to Johnston ... ..	... 6
Campbell, R., to Bligh	528, 7
Castlereagh to Bligh	397, 399, 2
„ to Nightingall ... ..	... 8
„ to Paterson ... ..	... 7
„ to the Duke of York	778, 8
Coffin to Pole ... ..	... 2
Collins to Bligh ... ..	... 8
„ to Castlereagh ... ..	... 94, 598, 7
„ to Cooke ... ..	... 7
„ to Foveaux ... ..	... 7
Cooke, E., to Banks ... ..	... 8
„ to Bligh ... ..	... 2
Court, Members of, to Bligh	422, 426, 427, 428, 4
Cowper, Rev. W., to Chapman ... ..	... 6
Derry, Bishop of, to Archbishop of Canterbury ... ..	... 2
East India Company to Dunbar ... ..	... 2
„ to Holford ... ..	... 2
„ to Tierney ... ..	... 2
Finucane to Brookes	742, 743, 744, 7
Fitz to Chapman ... ..	... 2
Fitzwilliam, Earl, to Castlereagh ... ..	... 8
Flinders, Mrs., to Banks ... ..	... 2
Flinders to Banks	48, 116, 207, 273, 282, 4
„ to De Caen ... ..	... ..
„ to King ... ..	... ..
„ to Minister of French Marine ... ..	... 6
Foveaux to Bligh ... ..	... 713–20, 749, 79
„ to Castlereagh	728, 739, 742, 748, 1
„ to Chapman... ..	... 749, 1
„ to Collins	747, 1
„ to Cooke	274, 1
„ to Johnston... ..	... ..
„ to Kent	757, 1
„ to Paterson	736, 786, 1
„ to Piper ... ..	... ..
Fulton, Rev., to Bishop of Derry ... ..	... ..
„ „ to Bligh ... ..	... ..
„ „ to Castlereagh ... ..	... ..
„ „ to Piper ... ..	... ..

SYNOPSIS OF CONTENTS.

xxiii

LETTERS AND DESPATCHES—continued.

	PAGES
Clore to Bligh	644, 648, 650
„ to Castlereagh	371, 551, 602
Greville to Windham... ..	... .. 75
Griffin to Finucane ... ..	... .. 718
„ to Macarthur ... ..	... 396, 420
Grimes to Macarthur	413, 414, 416
„ to Piper ... ..	... .. 394
Harris to King ... ..	... .. 336
„ to Mrs. King ... ..	... .. 342
Hassall to Missionary Society ... ..	... .. 708
Hunter to Pole ... ..	... .. 412
Jamison to Castlereagh ... ..	... .. 328
„ to Johnston	516, 520, 535
Jamieson to Bligh ... ..	... .. 606
Jenner, Dr., to Windham ... ..	... .. 202
Johnston to Apsey ... ..	... .. 454
„ to Bligh ... ..	... .. 434
„ to Castlereagh	575, 590, 593, 630
„ to Foveaux... ..	... .. 721
„ to Gaoler ... ..	... .. 433
„ to Gordon	291, 652
„ to Officers	456, 600
„ to Paterson ... ..	... .. 595
„ to Piper ... ..	... .. 463
„ to Symons	539, 548, 549, 550, 565, 593 .
(See also “ Bayly,” Johnston’s Secretary.)	
Kent, Capt. W., to Banks ... ..	... .. 25
Kent, T., to Banks ... ..	... .. 384
Kent, Lieut. W., to Bligh ... ..	... .. 720
„ „ „ to Kemp ... ..	... .. 720
„ „ „ to Foveaux	758, 759
King to Bligh... ..	120, 169, 171
„ to Camden	20, 26, 34, 59
„ to Castlereagh	112, 113, 641, 782
„ to Cooke... ..	385, 541, 655
„ to Forrest ... ..	... .. 51
„ to the Navy ... ..	... .. 97
„ to Palmer	71, 160
„ to Piper ... ..	... .. 21
„ to Marsden, W.	185, 200
„ to Marsden, A.... ..	... .. 19
„ to Windham ... ..	... .. 185
King, Mrs., to Castlereagh ... ..	... .. 781
Lawson to Bligh	457, 637
Lord & Co. to Bligh ... ..	... .. 277
Lye to Bligh	209, 210
Littrell to Sullivan ... ..	... .. 291
Macarthur, Edward, to Hannibal Macarthur ... ..	... .. 771

LETTERS AND DESPATCHES—continued.

Macarthur, Edward, to his Father...	...	...	...	...	774, 776, 779
,, to his Mother	...	...	...	...	...
,, to Walter Davidson	...	...	...	...	...
Macarthur, John, to Atkins...	...	...	...	...	389, 418
,, to Bligh ...	...	...	...	...	394, 411, 413
,, to Campbell	...	...	...	...	331
,, to Glen ...	...	...	...	...	..
,, to Grimes	...	...	...	...	414
,, to King ..	...	...	...	...	2
,, to Members of Court	...	...	...	...	...
,, to Oaks ...	...	...	...	...	...
,, to Piper ...	...	...	...	...	...
,, to his Wife	...	...	...	...	...
Marsden, S., to Castlereagh ..	...	...	...	...	...
,, to Cooke	...	...	...	...	380
,, to King..	...	...	...	...	...
Marsden, W., to Banks	...	...	...	...	118
Mason to Bligh	...	...	...	...	...
Maum to Castlereagh	...	...	...	...	...
Menzies to Cooke	...	...	...	...	1
Minchin to King	...	...	...	...	...
Nightingall to Castlereagh	...	...	...	...	...
Officers to Johnston	...	...	...	...	...
Osbourne to Castlereagh	...	...	...	...	...
Palmer to Bligh	...	...	...	...	530, 721
Paterson to Banks	...	...	...	...	...
,, to Bligh	...	...	...	...	260
,, to Castlereagh	...	...	...	...	120, 538
,, to Foveaux ..	...	...	...	...	...
,, to Johnston...	...	...	...	...	536
,, to King	...	...	...	...	3
,, to Sullivan	...	...	...	...	264
Perceval to ———	...	...	...	...	...
Piper to Windham	...	...	...	...	...
Pulteney to Harris	...	...	...	...	...
Short to Bligh ...	...	...	...	...	74, 83, 211
,, to Marsden	...	...	...	...	...
,, to Pole ...	...	...	...	...	...
Symons to Johnston	...	...	...	...	539, 549, 550, 565
Tench, Colonel, to E. Macarthur	...	...	...	...	...
Tetley to Bligh	...	...	...	...	...
Thompson to Bligh	...	...	...	...	262, 267, 270, 307, 389
Townson, J., to Windham	...	...	...	...	...
Townson, R., to Castlereagh	...	...	...	...	570
,, to Windham	...	...	...	...	...
Trade, Board of, to East India Co'y	...	...	...	...	...
Waterhouse to Banks	...	...	...	...	...
Wentworth to Castlereagh	...	...	...	...	315

SYNOPSIS OF CONTENTS.

XXV

LETTERS AND DESPATCHES—continued.

	PAGES
h to Piper	204
and Paddock to Harris	63
Banks	100
to Bligh	117, 224, 229, 238
se of, to Castlereagh	651, 782

MISCELLANEOUS PAPERS.

to Bligh	165, 188, 190, 237, 254, 257, 410
to Castlereagh	802
to Johnston	434, 454, 458, 531, 597
to King	166
to Paterson	596, 635, 636
e and Live Stock, Returns ...	122, 123, 124, 133, 168, 279, 403, 406-9, 520, 707, 809
Joseph—Observations of, on the Colony	86, 107
, William—Statement of	589
est of—Public Meeting concerning	512
atment of Soldiers, depositions concerning	587, 589
Joseph—Statement of	589
The—Wreck of... ..	192
Government	163
servations concerning	177
, exported from Newcastle	129, 130
Surgeon—Commission of	266
scapees	270
c., Proceedings of—	
W.—Case of	530
Arthur r. Campbell, junr.	332
Arthur, John—Trial of	399, 422, 465
strates, Authority of	104
rs, Examinations of	435
, Captain, Case of... ..	212
, Illicit	85
tworth, D'Arcy—Trial of... ..	316, 369, 522
re, Returns of	161, 162, 233, 386
est of—	
ntended Defence	678
's Evidence	530
ry River Flood	64
njamin—Statement of	589
ernor—Remarks of, on Colony	1-10, 135, 397
ts, Lists of	808
c and Agriculture, Returns ...	122, 123, 124, 133, 168, 279, 403 406-9, 520, 707, 809
, John—Banks's Criticism of	698
gh, Corporal—Deposition of	574
ieutenant—Memorial of	13

MISCELLANEOUS PAPERS—continued.

Military Returns, &c.	161, 162, 183, 1
Minchin, Adjutant—Statement of ....	.
New South Wales—Reports, &c.	1, 10, 86, 107, 135, 177, 2
Newcastle—Foundation of ....	.
Exports	1
New Zealand Natives—Visit of, to Sydney ....	.
Oil, Whale, and Seal Skins—Return of ....	.
Population—Observations on General Muster ....	.
Population, Returns concerning	42, 44, 45, 103, 119, 131, 15 197, 231, 232, 289, 290, 535, 7
Savage, Surgeon—Services of	2
Shipping Regulations ....	.
Shipping Returns—Arrivals and Departures	125, 126, 127, 1 235, 271, 272, 404, 405, 818, 8
Shipping Trade, The	103, 2
Stock—See “Live Stock.”	
Suttor, George—Affidavit of ....	.
Timbers, Australian ....	.
Van Diemen’s Land, Exploration of ....	.
Whittle, Sergeant—Statement of ....	.
Works, Public—Returns of	43, 1

GOVERNMENT AND GENERAL ORDERS.

Arms and Ammunition ....	.
Assigned Servants	1
Bakers, Licenses of ....	.
Beer—Brewing Regulations ....	.
Blaxland, Member of Civil Court ....	.
Bligh, Arrest of	434, 4
„ Arrival of	118, 1
Careening Grounds ....	.
Cattle, Government ....	.
„ Private ....	.
„ The Wild Herds ....	.
Cider, Manufacture of ....	.
Coals, Duty on ....	.
Convicts, Assigned Servants	1
„ Tickets-of-leave ....	.
Courts, Members of, appointed	5
Crown Debts—See “Debts due to Crown.”	
Currency, The	1
Debts due to the Crown	14, 2
Domain, The, at Sydney ....	.
Fencing Regulations ....	.
Fire, Precautions against ....	.
Fisheries ....	.
Flood at the Hawkesbury	52, 54, 1

SYNOPSIS OF CONTENTS.

xxvii

GOVERNMENT AND GENERAL ORDERS—continued.

	PAGES
Foveaux, Arrival of	701
Gardens, Vegetable	91, 100, 118
India, Immigration to	261
Labour, Regulations	100, 205, 206
Landowners	385
Lands, Fencing Regulations... ..	91
Lawyers—ex-Convicts' disability	708
Macarthur, Colonial Secretary	519
Martial Law	434, 453
Military Forces	654, 808
Miscellaneous	22, 68, 173
Muster, General	529
Naval Officer, Appointment of	266
Notes, Promissory	236
Officers, Dismissals and Appointments	91, 266, 453, 456, 458, 462, 511, 516 517, 519, 529, 530, 545, 574, 648, 704, 708 709, 728, 757, 761, 808, 811, 812, 817
Police Regulations	71, 73, 173
Ration, The... ..	54, 99, 173, 254, 267, 515
Reserves, Land at Sydney	275
Roads, Repairing	102
Russell, Oliver—Liberation of	573
Salt, Manufacture of... ..	237
Sandalwood, Duty on	761
Savage, Surgeon	263
Servants, Assigned	186
Shipping Regulations... ..	193, 197, 258, 263, 267, 275
Short, Captain—Arrest of	236
Soldiers and Seamen—Debts of	11
South Creek, Bridge over	27
South Sea Islands	263
Spirits, Sale and Consumption of	12, 69, 91, 253, 511, 530, 533
Still, Illicit	72, 85, 93, 253, 780
Stores, Government	460, 539
Stowaways	270
Ticket-of-leave Men, Regulations concerning ..	28, 47
Trade-rights of East India Company	110
Venus, Brig—Seizure of	98
Volunteers—The Loyal Association	70, 91, 531
„ calling for Recruits	255
Wages, Rates of	205
Wentworth, D'Arcy	276, 527
Wheat, Price of	12, 204, 221, 810

ILLUSTRATIONS.

	PAGE.
ADMIRAL BLIGH—FRONTISPIECE.	
SYDNEY COVE, 1803 (<i>Péron</i>)	v
SYDNEY, LOOKING WEST, 1803 (<i>Péron</i>)	xxx
GOVERNOR PHILIP GIDLEY KING	1
LIEUTENANT JOHN BOWEN, R.N.	14
DR. ROBERT BROWN... ..	16
MAP SHOWING LANDS COVERED BY FLOOD IN HAWKESBURY RIVER	64
FAC-SIMILE—REV'D HENRY FULTON'S HANDWRITING	80
„ JUDGE-ADVOCATE ATKINS'S HANDWRITING	104
CAPTAIN MATTHEW FLINDERS, R.N.	117
CAPTAIN BLIGH, R.N.	118
RIGHT HON. W. W. WINDHAM	120
PLAN SHOWING LOCALITY OF BLIGH'S FARM	262
ST. PHILLIP'S CHURCH (<i>Fowles</i>)	359
PLAN OF SYDNEY, 1807	366
FAC-SIMILE—GOVERNOR BLIGH'S HANDWRITING	380
„ SURVEYOR GRIMES'S HANDWRITING	394
MAP OF NEW SOUTH WALES, 1806	410
LIEUTENANT-COLONEL JOHNSTON	433
FAC-SIMILE—PETITION TO JOHNSTON FOR BLIGH'S ARREST	434
„ ADDRESS OF THANKS TO JOHNSTON	454
JOHN MACARTHUR	464
FAC-SIMILE—DEPOSITION OF CORPORAL MARLBOROUGH	575
„ JOHN MACARTHUR'S HANDWRITING	644
PLAN OF GOVERNMENT HOUSE, 1808	764
ENTRANCE OF PORT JACKSON, 1797	822
SYDNEY COVE, 1797	823
SYDNEY COVE, 1804	836



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INTRODUCTION.

THE opening pages of this volume are devoted to the concluding months of Philip Gidley King's governorship. Influenced, no doubt, by the knowledge that his successor, Captain William Bligh, of the Royal Navy, was on his way to the colony, King declined to commit himself to any important act of administration. The many years of service which King had seen in the colony, and the peculiarly trying circumstances under which he acted as Governor, call for more than passing notice.

His experiences, before his appointment as Governor, have been dealt with in previous volumes.

He assumed control of the colony at a time when the gravest abuses were at their height. His predecessors had virtually to deal only with convicts and their guards, to whom the regulations of a regiment for these, or a prison for those, could be applied; but when the convicts became free men, either by servitude or emancipation, they formed, with the free settlers who had arrived from England and the discharged soldiers, a new and important element in the population of the colony. They claimed all the rights of free-born Englishmen; and, in doing so, appear to have come into constant conflict with the civil power. It is to this fact that the difficulties which Governor King met at every step are to be attributed. These difficulties, in reality, were identical with those which overwhelmed Bligh; and they were sufficiently acute to force King to request permission to return to England. After well nigh twenty years of active and arduous service in New South Wales, King returned to England in 1807 a poor man, broken alike in health and pocket. Of his life during the few months which followed his arrival in England we know little or nothing, beyond the fact that he was confined almost continuously to his bed, and finally succumbed on 3rd September, 1808, a few days before the news of Bligh's arrest was received in England. It is doubtful if any Governor of New South Wales had greater difficulties to

contend with than Governor King. He proved himself an able, fearless, and upright administrator; and had the British Government given him a fuller share of countenance and support, nothing seems more certain than that the military officers and traders would never have attained the ascendancy which ended in the arrest of Governor Bligh. The stone which marks King's grave, near the old parish church of St. Nicholas, Tooting, London, is still in a good state of preservation. It bears the following inscription:—

HERE LYETH THE BODY OF
PHILIP GIDLEY KING,
 CAPTAIN, R.N., AND LATE
 GOVERNOR OF HIS MAJESTY'S TERRITORY,
 NEW SOUTH WALES.
 DIED SEPT. 3RD, AGED 49 YEARS.
 1808.

In this volume many evidences will be found of the active interest taken in the colony by Sir Joseph Banks. On pp. 16–19 is printed a long letter from him to the Secretary of the Admiralty, giving an account of the labours of Robert Brown and Ferdinand Bauer, who had accompanied Flinders in the circumnavigation of Australia. Banks states that, independently of seeds, &c., which Brown had sent to England from time to time during the course of the voyage, the collection which he had brought Home under his own personal supervision numbered approximately 3,600 specimens. He also brought a great number of insects, bird-skins, and minerals. The artist, Bauer, had not been less industrious than Brown. His sketches of plants and animals were beyond Banks's most sanguine expectations, and numbered over 2,000; of these but a very few have ever seen the light. Sir Joseph proposed:—

1. That Brown and Bauer should prepare the results of their researches for publication, continuing to draw the salaries* which they had been paid while absent with Flinders. Banks undertook if this was agreed to, to overlook and direct the progress of the work.

“To quicken them if they are dilatory, to assist them when it is in my power, and to report to their Lordships (the Admiralty) the progress made by each in his respective department once a year at least, or oftener if required so to do.”

* Brown received £420, and Bauer £315 per annum.

2. That the natural history specimens, the quadrupeds, birds, insects, &c., and the geological specimens, be forwarded to the British Museum for classification and exhibition.
3. That one complete set of botanical specimens be provided for the Admiralty.
4. That Bauer be directed to apply himself diligently to completing his rough sketches, taking them in hand in such order as Brown or Banks should decide.
5. That it be recommended to Brown and Bauer to publish periodically, and in parts, the results of their labours.

It will be seen that this was an ambitious project. It was intended to be a distinct work, altogether apart from the narrative of the leader of the expedition. It was to be devoted exclusively to the natural history of Australia, and to be profusely illustrated by one of the leading botanical painters of the day. About the time, however, when Banks was urging the cause of science upon the Government, the whole of the affairs of State were thrown into violent disorder by the death of the Prime Minister, William Pitt. We hear no more of Banks's proposal, and years afterwards, when Flinders was released and published his *Voyage to Terra Australis*, Brown's labours (although subsequently supplemented by the publication of his *Prodromus Floræ Novæ Hollandiæ*), were condensed into an appendix, entitled "General Remarks, Geographical and Systematical, on the Botany of Terra Australis." Of the number of sketches taken by Bauer we have only about a dozen in the Atlas to Flinders's Voyage. Had Banks's proposal been acted upon, there is no doubt a publication pre-eminently the *magnum opus* of Australian botany would have been produced.

Sir Joseph Banks's interest in the welfare of the colony was not confined to scientists. In March, 1806,* we find Captain William Kent, R.N., who had served many years on the Colonial station, soliciting his patronage. Kent was anxious for active service, and could see much more opportunity of reaping renown in Australian waters than in the ordinary course of the naval service. He accordingly laid his case before Sir Joseph, and offered either

to continue the labours of Flinders or to accept office as assistant to the Governor at Sydney. He made no excuse for addressing Banks, for it was a well-known fact that he was the trusted adviser of the Government in all matters pertaining to New South Wales. But at the time a change in the Ministry had occurred, and Banks informed Kent* that he was unwilling to intrude on the new occupant of the Colonial Office (Windham) as it might be "very detrimental to my hopes of establishing with Mr. Windham the same sort of confidence in me as Lord Camden, Lord Castlereagh, and their predecessors have favoured me with." He regarded it as only a matter of time before he would be in cordial communication with the Ministry upon Colonial affairs, and promised Kent, when that was so, his pretensions would not be forgotten. Apparently Kent sought other fields, for we hear no more of his proposals; but the incident is of importance in showing how even men who had seen years of service in New South Wales deemed it essential to secure the imprimatur of Sir Joseph Banks's approval before they approached the Government. On page 187 will be found a short but interesting letter from Sir Joseph Banks to Governor King, dated 20th September, 1806. Banks had been for many months confined to his room by illness, and was anxious to remove from King's mind the impression, if such existed, that his friendship had cooled. He congratulated him upon the quiet disposition of the colony, which had been brought about under his administration, and assured him that no effort on his part would be wanting to secure a fitting recognition from the Government of the arduous and meritorious services of King. It is to be regretted that Banks was not able to do more to soothe the last days of one of the most honorable and upright of our early Governors.

Bligh was one of Sir Joseph Banks's many proteges. In the year 1787, Sir Joseph had procured his appointment to the *Bounty* on her memorable voyage to the South Seas to transport the bread-fruit to the West Indies. Although upon his return it was held by many that his severity was the direct cause of the mutiny which had occurred upon that vessel, Banks did not, apparently, lose any of the great confidence he had in Bligh. In 1791, he obtained for him the command of H.M.S. *Providence*, which was

* Post, p. 31.

sent upon the same mission with more satisfactory results. There can be little doubt that it was to the friendly advocacy of Banks that Bligh owed the honors which were showered upon him by the scientific societies of London on his return. When it was proposed to appoint a successor to Governor King, Banks induced the Ministry to double the salary ; and then offered the position to Bligh in the following remarkable letter :—

" My dear Sir,

15th March, 1805.

"An opportunity has occurred this day which seems to me to lay open an opportunity of being of service to you ; and as I hope I never omit any chance of being usefull to a friend whom I esteem, as I do you, I lose not a minute in apprising you of it.

"I have always, since the first institution of the new colony at New South Wales, taken a deep interest in its success, and have been constantly consulted by His Majesty's Ministers, through all the changes there have been in the department which directs it, relative to the more important concerns of the colonists.

"At present, King, the Governor, is tired of his station ; and well he may be so. He has carried into effect a reform of great extent, which militated much with the interest of the soldiers and settlers there. He is consequently disliked and much opposed, and has asked leave to return.

"In conversation, I was this day asked if I new (*sic.*) a man proper to be sent out in his stead—one who has integrity unimpeached, a mind capable of providing its own resources in difficulties without leening on others for advice, firm in discipline, civil in deportment, and not subject to whimper and whine when severity of discipline is wanted to meet [emergencies]. I immediately answered : As this man must be chosen from among the post captains, I know of no one but Captain Bligh who will suit, but whether it will meet his views is another question.

"I can, therefore, if you chuse it, place you in the government of the new colony, with an income of £2,000 a year, and with the whole of the Government power and stores at your disposal, so that I do not see how it is possible for you to spend £1,000 ; in truth, King who is now there receives only £1,000 with some deductions, and yet lives like a prince, and I believe, saves some money ; but I could not undertake to recommend any one unless £2,000 clear was given, as I think that a man who undertakes so great a trust as the management of an important colony should be certain of living well and laying up a provision for his family.

"I apprehend that you are about 55 years old ; if so, you have by the tables an expectation of 15 years' life, and in a climate like that, which is the best that I know, a still better expectation ; but in 15 years £1,000 a year will, at compound interest of 5 per cent., have produced more than £30,000, and in case you should not like to spend your life there, you will have a fair claim on your return to a pension of £1,000 a year.

"Besides, if your family goes out with you, as I conclude they would your daughters will have a better chance of marrying suitably than they can have here ; for as the colony grows richer every year, and something of trade seems to improve, I can have no doubt but that in a few years there will be men there very capable of supporting wives in a creditable manner, and very desirous of taking them from a respectable and good family.

"Tell me, my dear sir, when you have consulted your pillow, what you think of this. To me, I confess, it appears a promising place for a man who has entered late into the status of a post-captain, and the more so as your rank will go on, for Phillip, the first Governor, is now an admiral, holding a pension for his services in the country.*

"I have, &c.,

"JOSEPH BANKS."

Banks did not exaggerate when he wrote in the above letter that he had been constantly consulted by the various British Governments in all the important affairs of the colony. Bligh accepted the offer, and recognising that he owed his post to Banks, he did not fail to keep him informed concerning events in New South Wales.

The arrest of Bligh did not shake Banks's confidence in him. When the deposed Governor returned Home, Banks took up his case with enthusiasm. During the whole period of Johnston's trial, Banks was in constant communication with Bligh. Sir Joseph was sufficiently behind the scenes to know that Macarthur was at the bottom of the mutiny of the officers of the New South Wales Corps, and he never forgave him.† It was n

* This is doubtless the letter to which Banks referred in his letter of 19th April 1805, published at p. 590 of vol. v. of these *Records*. It was inadvertently omitted when that vol. was printed, and is, therefore, given above in its entirety.

† See Banks's remarks concerning Macarthur, post, p. 698.

doubt largely owing to the active antipathy of Banks that Macarthur was prohibited for so many years from returning to New South Wales.

On pp. 107 to 109 will be found some interesting remarks by Sir Joseph Banks on the territorial limits of New South Wales. He was averse to making any claim to the whole of the continent, or rather to adopt a name, such as Australasia, which might seem to cover a secret claim to the whole of it. Westward from the 135th parallel of longitude was virtually No-man's Land. Banks claimed that it ought to be left open to the enterprise of any European nation which might venture, in time of peace, to make a settlement there. He added significantly, however, that it would be morally certain to fall into the hands of the British in the event of war. The recognition by other powers of this probable contingency will no doubt account for the fact that attempts were not made to found a settlement on our western littoral by any European nation.

The important bearing of this fact upon the subsequent history of these colonies can be realised when we bear in mind that the 135th parallel left the whole of the western half of Australia unclaimed and open to any other European power.

The pathetic letters of Matthew Flinders will be read with interest by all. The first in order of date will be found on page 29. It was addressed to the Governor-General of the Isle of France. At the time of writing (March, 1806) Flinders had been in captivity two years and three months, and had received no intimation whatever concerning the intentions of General De Caen. Tortured by suspense, continually disappointed in the hope of receiving some definite knowledge as to his fate, and evidently suspicious that the reserve of the French officers, who were, in effect, his gaolers, and the mystery which characterised all their communications, were the outward evidences of an attempt on their part to utilise the information contained in his papers, and to appropriate the results—or some of them—of his labours in the field of discovery, he prayed to be sent to France, where he would have an opportunity of vindicating himself, or know speedily what it was intended to do with him. He assured General De Caen that he was in no sense

a belligerent, and begged of him not to anticipate the unfavourable judgment of the French Government by keeping him a prisoner without any prospect of a decision one way or the other. "Do not," he wrote, "deprive me of the best years of my life, ruin my hopes of advancement and of acquiring reputation by my labours; do not keep me to an unlimited time from my family, who for years have been looking for my return." He could gain, however, no satisfaction, and continued to linger in confinement.

In March, 1807 (p. 48), he addressed Sir Joseph Banks. He was eager to continue the exploration of the coasts of New Holland, and suggested, if he were detained a prisoner until the war with France was over, that "another Investigator" be equipped and sent out to him under the command of Lieutenant Fowler or his (Flinders's) brother. If, on the other hand, his release could be obtained, and the Admiralty were desirous that he should explore the north and west coasts of Australia,* he suggested that the Commander-in-Chief in India might be ordered to furnish him with a vessel which he could restore after the voyage, and take his own passage to England in a homeward bound Indiaman. One of his proposals made in this letter sounds strangely in the light of the knowledge of to-day. He suggested that five or six asses to carry provisions should be procured at the Isle of France, and two parties landed, one at the Gulf of Carpentaria, the other at the Great Australian Bight, each journeying towards the centre of the Continent till they met. He presumed that 500 miles each way would be sufficient, "since the country does not appear to be mountainous." Fortunately for those concerned, nothing more was heard of Flinders's modest overland scheme.

In his next letter to Banks (post, p. 116), Flinders mentioned that he had forwarded his narrative of the manner in which he had been treated, at the Isle of France, to the Lords of the Admiralty. In effect, he asked Banks, if there were no prospect of his liberation, to see that the narrative was published, with such reflections as might suggest themselves to a well-informed mind: it would serve to interest a few in his fate; and, in any case,

* It is worthy of note that although, in his published account of his voyage, Flinders adopted the name *Terra Australis*, yet in his letters he uses that of *Australia*, the suitableness of which he suggested in a foot-note to his Introduction.

could be incorporated in the account of the voyage of the Investigator. He had heard a rumour to the effect that Sir Joseph (whom he styled "my patron and my conductor on the road to fame") was dead. Should this be so, he feelingly stated that his resolution had been made: "Without fortune, rank, or connections, what can I hope for? The world forgetting, by the world forgot, I will retire into a corner and place my happiness in domestic relations."*

In his next letter, he informed Banks that he had heard of the appointment of Bligh to the position of Governor of New South Wales. Bligh and Flinders were not strangers. They had sailed together on the *Providence*, in 1791, and apparently their relations had not been of a very pleasant nature. "In contemplating the future prosecution of my voyage," he wrote to Banks, "the prepossession of his predecessor (presumably Bligh) against me is a subject of much regret. I should, indeed, not desire to be placed under his immediate orders, since the credit, if any, which should be due to my labours would be in danger of being monopolised." This is a remarkable endorsement of the statement of a modern biographer, that Flinders, during the voyage of the *Providence*, had been entrusted by Bligh with a greater share of the navigation and chart drawing than was due to his few months' service at sea. In his next letter, written seven months later (post, p. 274), he again referred to his relations with Bligh. "I hope," he wrote, "the letter will convince His Excellency of the respect I entertain for his talents and services in nautical science; and perhaps he will see the injustice of considering me with an unfavourable eye."† In this letter he informed Banks that he had sent to England by a trusty messenger (his servant) the *Endeavour* log book‡ and his remaining books and papers; and that, as he had little or no hope of release, he had decided to embrace the first opportunity of getting back his parole and attempting to make his escape, "since all hopes

* Post, p. 117.

† It is worthy of notice, incidentally, that when Bligh returned from his voyage in the *Providence*, he wrote to the Admiralty, highly praising the conduct of several of his officers (some in very subordinate positions), but made no mention whatever of Flinders.

‡ It is not known which of the many copies of Cook's log this was.

of liberty from any other quarter seem to fail me." His next letter (the last contained in this volume) was dated 24th January 1808 (post, p. 420). In it he stated that he still intended, if General de Caen (Governor of the Isle of France) continued to ignore the order for his release, to seize the first favourable chance which presented itself of making an attempt to escape to India or America. Possibly no such opportunity occurred, for we know that it was not until 1810 that he was liberated, and that he only returned to England in time to see the very able account of his voyage in the *Investigator* through the press. He died on the day on which it was published. The very high opinion which those of his contemporaries who were thrown into contact with Flinders, and were qualified to judge, formed of his character and abilities has been endorsed by posterity. He ranks with Captain Cook as an intrepid navigator and an accurate hydrographer.

Some facts of interest are brought to light in these pages concerning the notable Irish leader, Michael Dwyer, whose remains were a few months ago exhumed at the old Devonshire-street Cemetery and re-interred at Waverley. After the revolt of the convicts in March, 1804,* the official mind was constantly agitated by the fear of an insurrection of the Irish convicts. There appears to have been very little direct evidence to justify the Governor and his confidants in concluding, as they evidently did, that the men who had been dissatisfied and turbulent in Ireland were incapable of contentment or peace in any other quarter of the globe. Shortly before Bligh's arrival, King discovered, or thought he had done so, that the Irish convicts were ready to break out into open revolt immediately upon his departure from the colony. He imparted his suspicions to Bligh, and although six months elapsed between the arrival of Bligh and the departure of King, no attempt was made to bring the supposed incendiaries to justice but immediately after the departure of King, Bligh caused a number of Irish State prisoners (men who, to escape the ignominy or the risk of a trial, had agreed to deport themselves to Botany Bay) to be arrested and charged on the evidence of two convict informers with fomenting a revolt of the convicts. Bligh admitted that no positive overt act had been committed—no

* See vol. v, pp. 345 *et seq.*

had any arms been found—but, relying upon the statements of the informers, who appear to have been influenced by the prospect of a free pardon (which each subsequently obtained), eight of the supposed leaders (Dwyer amongst the number) were placed upon their trial in May, 1807. By reason of its constitution the Court would be unlikely to lean favourably towards the prisoners; for it was composed of the very officers whose assassination they were charged with intending to attempt. Notwithstanding this, Dwyer and five of his companions were found innocent. Although rumours of the existence of a plot had been rife for over twelve months, no tangible proof during the whole time had been obtained to implicate six of the eight men charged; the other two were found guilty and sentenced to a severe corporal punishment. Of the nature of the evidence we know nothing. The defence, according to the *Sydney Gazette* of 7th June, 1807, consisted of “some exculpatory argument, and concluded generally with a point blank denial of the charges.” Amongst the acquitted were the five men who voluntarily exiled themselves to avoid being brought to trial, and came out from Ireland in the *Tellicherry** in 1805–6. These men were not criminals, and after their acquittal should, according to all principles of justice and right, have been liberated. They were, however, detained in prison. Dwyer was sent on board the *Porpoise* in chains and handcuffs like a malefactor, and transported to Norfolk Island. The others were similarly treated, and sent to different subordinate settlements. After the arrest of Bligh they were permitted to return; and Paterson, in May, 1809, gave to each of them a grant of 100 acres of land in the Cabramatta district. Lieutenant Minchin, adjutant of the New South Wales Corps, who was a member of the Court which tried Dwyer in May, 1807, and whose house was not far from Dwyer’s, spoke some years afterwards in unmeasured terms of praise of his industry and peaceable deportment.† The treatment to which these men were subjected could only have been justified by the production, in a Court of Law, of unmistakable evidence of guilt. The power of the Governor was, however, practically unlimited. Probably in no other British

* See vol. v, p. 683, and post, p. 19.

† See Minchin’s evidence at the trial of Lieutenant-Colonel Johnston, given in Bartrum’s report of the proceedings at the Court-Martial.

community would the representative of the Crown have dared to manacle a man who had been declared innocent by the established judicial tribunal of the territory, and separate him from his family and home.

Closely allied to this question is that of the legality of such General Orders, made by the first Governors, as were inconsistent or at variance with the laws of England. John Macarthur claimed that, unless sanctioned by an Act of Parliament, the Governor had no power to make such Regulations, in so far, at all events, as they affected the free population ; and no doubt he was correct.*

Campbell senior said he had always conceived that the Governor could give such orders as he thought proper, though repugnant to the known laws of the land ; and that he had known this to be done.† When men of standing like Robert Campbell accepted such an assumption of power without protest, it required a considerable amount of courage on the part of Macarthur to dispute it single-handed.

The theory that the tendency to break one of the laws of Nature generally diminishes as the opportunities of transgression increase received a remarkable endorsement in the singular fluctuations observable in the vice (or disease) of drunkenness. Contrary to all expectation, it was found that when spirits were plentiful and accessible, none of the terrible evidences of social degradation and industrial paralysis which the excessive use of stimulants connotes were evident. When, however, spirits became scarce—when the results of a week's labour barely sufficed to purchase a bottle of rum—the great bulk of the labouring population became frenzied to procure drink at any price. They refused to accept wages in

* Beyond the exigencies of the case, and the fact that the Governor was so far distant from the British Courts of Law, he had nothing but might to support him in his acts. There can be no doubt in the mind of any one acquainted with the elements of the Common Law of England, that His Majesty George III would not have attempted to do what the Governor of New South Wales did repeatedly. The excuse—that the colony was peculiarly circumstanced—is no answer. Whatever necessity there might have been to adopt the rules of a prison (in regard to the convicts), or of a regiment (in regard to the troops), the free inhabitants of the colony, who, under King and Bligh, were assuming considerable importance—were not less entitled to the rights and liberties of Englishmen, than those who dwelt under the shadow of St. Paul's.

† See the letter from Lord & Co., 10th August, 1807, post, p. 277, and note on p. 278.

y other form than spirits. The savings of years were squandered a few hours of dissipation. Farms were mortgaged, live stock sold, crops hypothecated, and the law defied. No sacrifice was too great, no punishment too severe, to risk for drink. So great, indeed, became the evils resulting from intemperance in times of scarcity that we meet with some singular suggestions for their removal. Caley (post, p. 693) thought that if all restrictions on the importation of spirits were removed, people would soon cease to crave for that which cost no effort or expense. "If," he wrote to Banks, "people were thoroughly drenched with liquor they would prefer water to it." Colonel Foveaux appears to have been of the same opinion (post p. 753); and Johnson, in his evidence before a Select Committee of the House of Commons in 1812, stated that when there was the greatest abundance of spirits in the colony there was the least drunkenness.

On pp. 13 and 14 will be found an interesting memorial presented by Lieutenant Menzies to the Under-Secretary of State for the Colonies and War, in which he narrates his services from the date when he resigned his position on the *Calcutta* to accept the post of Commandant at Newcastle. On pp. 9 and 10 is printed an account by Governor King of the foundation of the settlement at Newcastle. King states that he named the county Northumberland, and the district Newcastle, because of their analogy to places so named in England. Menzies called the town King's Town, but eventually the name of Newcastle (which was originally intended to apply to the district in which the settlement lay) was adopted as the name of the town itself. Menzies was succeeded in March, 1805,* by Charles Throsby. Throsby continued in command until 1808, when he was relieved temporarily by Ensign Villiers. Finally, Lieutenant William Lawson, of the New South Wales Corps, was appointed Commandant on 24th December, 1808.

To Governor King we owe the first effective attempt to open negotiations of a pacific nature with the natives of New Zealand. While at Norfolk Island in 1793 he had entertained with extreme kindness two Maoris who had been kidnapped from New Zealand for the purpose of imparting a knowledge of the method of treating

* Vol. v, p. 571.

the native flax. Towards the end of his period of service as Governor, a New Zealand Chief, accompanied by some of his children, landed at Sydney. King insisted on them residing at Government House. He was most lavish in his attentions, and sent them back to the Bay of Islands in a King's ship, loaded with presents. Had the whalers who touched at New Zealand in the opening years of the century felt and evidenced the same consideration and amity towards the Maoris as King did, the historian of to-day would not have had to register the deeds of treachery and bloodshed which disfigure the early history of that colony. King's own account of the visit of Tip-a-he, the Maori chief, will be found on pp. 2 to 8.

Only those old residents of the Hawkesbury district who have had bitter personal experience can realise the terrible devastation caused by a large flood in that locality. One of the first and worst of these inundations, of which we have any record, took place on the 22nd and 23rd March, 1806. On pp. 52 to 54, and 59 to 65, and also in Appendix A to this volume, some account of the losses incurred on that occasion will be found. The loss of food, live-stock, and buildings was enormous. An area of 36,000 acres was flooded. In many parts the water lay from 12 to 18 feet deep. It was estimated that 23,606 bushels of wheat, 59,450 bushels of maize, and 4,145 bushels of barley, valued in the aggregate at £22,368, were swept away. Live stock, comprising 3,560 swine, 16 horses, 47 sheep, and 296 goats, valued at £7,454, were drowned. The buildings destroyed were valued at £5,425; but no estimate was made of the personal property which was lost. In all, seven persons were drowned (five men and two women). Numbers were carried on barley-mows many miles down the river. Hundreds of people had to be rescued in boats from the tops of houses, ricks of straw, and trees. Some idea can be framed of the blow which the destruction of so much food meant to the colony, when it is considered that the grain alone would have been sufficient to serve out a ration of 12 lb. per week to the whole population for twelve months.* Vessels were sent from Sydney to carry supplies up the

* This is calculated on the low rate of 50 lb. per bushel. In consequence of the scarcity of food, it was found necessary to charter a vessel, and send her to the East Indies for rice and grain.

river ; but as anyone who has seen the entrance to the Hawkesbury after a big fresh can readily believe, they were forced to return, finding it utterly impossible to contend against the strong current when the tide was ebbing, or the confused sea and masses of debris when the flood tide met the out-running stream. Some of the data given in regard to the height of these floods are very unreliable. According to the newspapers of the day, the 1806 flood was from 78 to 80 feet above the general level ; but, from inquiries made upon the spot by the Government Astronomer, in November, 1876,* it is evident that this is much too high. If the information furnished to Mr. Russell by old residents can be relied upon (and there appears to be no reason to doubt it), the actual height of the big March flood of 1806 was not more than 50 feet above mean summer level.

Thomas Arndell, in a letter to Governor King (post, p. 825), gives us some data from which it might be possible to draw accurate conclusions. The water, he tells us, was within 18 inches of his house at Catty (Cattai), and was 5 feet over the rock at the corner of the creek. Arndell's house at Cattai is, I believe, still standing ; but I have no information concerning its height above mean summer level.

Bligh had not been out of sight of the coast of England many days before we find him involved in one of those violent quarrels with a fellow-officer which punctuated his career. Briefly, the circumstances were as follows : Bligh was on board one of the transports—the *Lady Madeline Sinclair*—under the convoy of a man-of-war, the *Porpoise*, which was commanded by Captain Joseph Short. Short's orders from the Admiralty were that he was to take command of the convoy, but that, in the matter of the course to be sailed, and the ports to be touched at, he was to obey the orders of Governor Bligh. Short construed these instructions to mean that in every other respect he was independent of Bligh, while Bligh considered himself Short's superior in every particular. A violent personal feud was the consequence, Short on one occasion going so far as to fire across the bows of Bligh's ship,

* *The Climate of New South Wales*, by H. C. Russell, B.A., F.R.A.S., F.M.S., &c., p. 74 (note).

because he refused to obey his signals. Upon arriving at Cape of Good Hope, Short attempted a reconciliation, but Bligh was obdurate. He appears to have been a man who never forgave or forgot an affront; and, shortly after Sydney was reached, lost no opportunity of wreaking his vengeance on Short. It should be stated here that before Short left England he had received permission to settle in the colony, for which purpose he procured the promise of a grant of 600 acres of land, disposed of property in England, invested the returns in implements and merchandise, and brought out his wife and family. Bligh, however, refused to give effect to the promise of the Under-Secretary concerning the land grant. Not only this, but upon complaint made against Short by two of his officers (who were certainly discouraged in their insubordination by Bligh), he was ordered 1st January, 1807, to surrender the command of the *Porpoise* to Lieutenant Putland (Bligh's son-in-law), and return to England in the *Buffalo*, which was about to sail with ex-Governor King. Lieutenant Tetley and Daniel Lye, both of the *Porpoise*, were ordered to embark in the *Buffalo*, they being the officers who had complained to Bligh of Short's severity. Short refused to give up command, and Bligh thereupon directed Lieutenant Houstoun, of the H.M.S. *Buffalo*, to proceed on board the *Porpoise*, and with force, if necessary, to remove Short under arrest to the *Buffalo*; and at the same time directed King, as First Captain of the *Buffalo*, to receive him as a prisoner at large, and convey him to England for trial by Court-Martial on charges to be submitted by Lieutenant Tetley.

The trial was held in December, 1807. Short was not honourably acquitted, but the Court took the unusual course of communicating in an extra-judicial manner with the Admiralty concerning the case. They stated that the charges had been instigated by Governor Bligh; that he had deprived Short of command of his vessel; that he had refused to carry out the intentions of Government in regard to the grant of land; that Short had been obliged to return to England in a leaky ship with his wife and six young children at an inclement season of the year; that his wife and one child had succumbed to the severity of the passage; that he had been forced to dispose of his goods

at Sydney at a great loss ; and that he had finally been left in indigence and distress. Under such circumstances of aggravated suffering the members of the Court submitted the case to the Admiralty as one deserving of their favourable consideration, and Short was soon after provided with employment in connection with the Sea Fencibles.

Governor Bligh's wife, a friend of Sir Joseph Banks, and a lady of talent, did not fail to defend her absent husband. She wrote to the Admiralty, asking for a copy of the evidence given at the trial of Short ; but they politely refused her request—probably because Bligh was not a party in the cause, and they had no desire to re-open the case. She, however, procured from Lieutenant Tetley an affidavit to the effect that in bringing Short to a Court-Martial he had not been instigated by Governor Bligh. The papers published in these pages, however, indicate very clearly that Bligh sympathised with, if he did not actually assist, Tetley. Accounts of the disputes between Bligh and Short during the passage out will be found on pp. 32, 46, 55, 74, and 81.

The proceedings at the inquiries into the charges of Short's officers are given on pp. 208 to 221.

The letter of the President of the Court-Martial which tried Short is printed on p. 388, and on pp. 417 and 461 will be found letters from Mrs. Bligh to Sir Joseph Banks upon the trial as it affected Bligh.

By the time Bligh had been in command fifteen months he had rendered himself obnoxious to many of the principal officers and a number of the leading merchants. It appears, however, to have been in his private and personal, rather than in his public and official, capacity that he incurred their enmity. None of his official acts, so far as we can judge at the present day, were such as to render his arrest imperative. He was no doubt wrong in revoking the leases made by King to Macarthur and others. His treatment of Wentworth was unjust and unmanly,* and his

* Bligh suspended Wentworth without giving any reason. He sent charges Home to England against him, but refused to inform Wentworth of the nature of those charges, or permit him to go to England to defend himself. Even the callous Atkins protested against Bligh's injustice in this particular.

conduct to the soldiery at times violent and undignified. These were doubtless sufficient to make him exceedingly unpopular with a large section of the people with whom he came into personal contact ; but it can hardly be claimed that they justified the use of force. In other matters there is much to be said in Bligh's favour.

It was worse than an obvious absurdity for the British Government to place the administration of justice in the hands of a man like Atkins. He had no legal knowledge, no professional training, and his private life, according to all accounts, was not calculated to neutralise the results of his professional inexperience, or to suggest that his incapacity would be atoned for by his impartiality or his rectitude. Macarthur charged him with being a public cheater, living in the most boundless dissipation, and alleged that in his public and official capacity drunkenness and indecency were almost inseparable from him. (Vol. iii, p. 122.) Bligh, some months before he was arrested, informed the Secretary of State that Atkins had "been accustomed to inebriety ; he has been the ridicule of the community ; sentences of death have been pronounced in moments of intoxication ; his determination is weak ; his opinion floating and infirm ; his knowledge of the law insignificant and subservient to private inclination." (Post, p. 355.) Such was the man in whose hands the judicial concerns of the colony for more than seven years were placed.* In a community where sobriety and seemly deportment were not the most prevailing characteristics, the intemperance and weakness of the chief law officer of the Crown were conspicuous.

One of the charges made against Bligh was that he consulted the ex-convict attorney, George Crossley, and utilised his professional knowledge. The explanation is to be found in what has been said regarding Atkins. Bligh was unschooled in the law, and with a Judge-Advocate equally ignorant he was forced to employ whatever means presented themselves. It was not a question of selecting aid from the cleanest source, but of getting it at all. The medium was a polluted one ; Bligh thought it was better than none.

* The negative testimonies of Marsden, Barrington, Thompson, and Arndell (vol. iii, pp. 127 *et seq.*) avail but little against such direct charges.

The conduct of Governor Bligh, in one particular, is utterly indefensible. The Governors who preceded him scrupulously abstained from engaging in farming on their own private accounts. Bligh, however, shortly after his arrival, purchased some land on the banks of the Hawkesbury River. He employed the labour of convicts to cultivate it; and, if the evidence of the storekeeper at the Hawkesbury (post, p. 449), or even that of Bligh's own farm-bailiff, can be relied upon, he converted to his private use a considerable amount of Government property. In December, 1807, Bligh's overseer (Andrew Thompson) estimated that the total profit during the ensuing year would be over £1,000 (post, p. 391); he added a very significant note, to the effect that "a common farmer who has to pay for everything would by no means have such profits." The total cash received from sales of milk alone for ten weeks amounted to £60. Bligh's method of stocking his farm was unique. Animals heavy with young were drafted from the Government herds and sent to his farm; after the young were born the mothers were driven back without their progeny. The impression conveyed by the admissions of Bligh's manager is that these animals were never paid for. He stated, however, that the Governor had informed him that the live stock and articles drawn from the public store were to be paid for, and that he wished everything to be fair and honorable. The statement of John Jamieson, superintendent of stock (post, p. 452), confirms that of Thompson; and, unless we can bring ourselves to believe that all the officers who were examined concerning this matter, immediately after the arrest of Bligh (some of whom were his adherents), deliberately misrepresented the facts, it is impossible to come to any other conclusion than that Bligh's action in this particular was highly discreditable.

No better commentary on the necessity for publishing the State papers of the colony can be found than the erroneous views which the highest historical authorities, hampered by inaccurate or incomplete data, have put forward in connection with the arrest of Governor Bligh. For instance, we find it stated by one of the most accurate, if not the most accurate,* of Australian historians, that the clause in Governor King's Instructions relative to the suppression of the spirit traffic was omitted in the

Instructions to Bligh, because King's reformatory efforts had been so successful that it was unnecessary to direct Bligh to complete what his predecessor had so effectively concluded. From this an inference has been drawn that the disasters which overtook Bligh were not traceable in any way to his attempts to suppress the system of traffic and barter in spirits. As a matter of fact, Bligh's Instructions were (except in a minor particular which had no reference to the point under notice) exactly identical with King's. The error into which more than one writer of note has fallen is simply explained. It has been taken for granted that the fictitious "Instructions" which King promulgated before he had received a line from the British Government were *bonâ fide*. As pointed out, however, in a previous volume,* King acted as Governor (to quote his own words) "without a single written instruction" for over two years. There can be no doubt that King strenuously endeavoured to suppress the iniquitous system of bartering and trafficking in spirits, and that to a great extent he succeeded. When Bligh arrived, however, the practice was still very prevalent. Spirits were eagerly demanded in payment for labour or property. The profits made were enormous, and, as may be readily conceived, Bligh had no easy task in abolishing so lucrative a trade. Inasmuch as this was the principal explanation which Bligh had to give for the odium with which some of the leading officers and merchants regarded him, it is worth while to inquire carefully into the facts.

It is remarkable that one of the first official acts of Bligh (after the departure of Governor King) of which we have any record was the publication on 14th February, 1807, of a Government and General Order, which will be found on p. 252, post, in which, *inter alia*, he prohibited, under the severest penalties, the exchange of spirits for grain, labour, animal food, wearing apparel, or any other commodity whatever. Had these evils been abolished by King, there would have been no occasion for such an Order. Corroborative evidence is, furthermore, available from many sources. Lieutenant-Colonel Foveaux, writing Home while Bligh was in

* See the Introduction to vol. iv, pp. xxviii and xxix, and references.

arrest, assured the Government that the only effect of the restrictive regulations which had been framed in this particular had been to make the "gentleman and man of character who would blush at being detected in an illicit transaction, the tributaries of the most daring and unprincipled smuggler and distiller."* This, let it be borne in mind, is from one of Bligh's enemies. In a later letter he alleged that three-fourths of the whole quantity of spirits imported fell into the hands of persons in the employ of Government, or were obtained by the inhabitants at the rate of twelve shillings a gallon, and retailed at from two to three pounds per gallon.† John Macarthur, in his evidence at the trial of Lieutenant-Colonel Johnston,‡ stated that everyone trafficked in spirits or used them in barter—officers, clergyman, and all—by necessity, for there was no other currency. Andrew Thompson, principal superintendent at the Hawkesbury and Bligh's farm-bailiff, admitted (post, p. 451) that he received in one year alone about 400 gallons of spirits, for which he paid about 8s. per gallon, and sold at from 18s. to 20s. per bottle. On a moderate estimate this would yield a net profit of £1,500 for the twelve months. Adjutant Minchin, in his evidence at Johnston's Court-Martial,§ asserted that bartering in spirits had and did then (1811) exist amongst all classes. Campbell (post, p. 528), Arndell (post, p. 533), Fulton (post, pp. 640, 696), and Mason (post, p. 702), all declared that the abuses which sprang from the pernicious system of bartering in spirits were rife in Bligh's time, and that his efforts to suppress the traffic were primarily responsible for his unpopularity and eventual arrest. The evidence of Campbell, Arndell, Fulton, and Mason is weakened by reason of the fact that they were violent partisans of Bligh; but there is little doubt that the efforts of the Governor in this direction had made him odious to certain wealthy colonists, and that they were, indirectly, one of the causes of his arrest. It is, however, beyond all question that Major Johnston was not personally influenced by them in the slightest degree. From every quarter evidence is available to prove that Johnston was a mild-mannered, pacific man. In the part he

* Post, p. 740. † Post, p. 753. ‡ *Trial of Lieutenant-Colonel Johnston*, p. 199.
§ *Ib.*, p. 246.

played, the desire of power does not appear to have influenced him. It was not an impetuous act of turbulent ambition. In his own words, he

lived in a state of absolute privacy and retirement, four miles from the seat of government. I merely went to town to attend my duty as magistrate and an officer, and when that was performed returned to my own residence."

It is not of such stuff that mutineers are made.

Facing page 433 will be found a portrait of the Major, taken in the uniform of an officer of the New South Wales Corps. The original was kindly lent to me by his daughter, Mrs. Weston, Horsley.

The leading part which he played in the arrest of Governor Bligh lends peculiar interest to all the particulars of Johnstone's career. By his grandson, Mr. Percival Johnston, I have been favoured with the following data, collected from family papers:

George Johnston was born at Annandale, Dumfriesshire, Scotland, on 19th March, 1764. When but thirteen years of age he received his first commission as second lieutenant in the 45th Company of Marines. During the years 1777 and 1778 he was stationed at New York and Halifax. The years 1779 and 1780 were spent in England recruiting, and in 1781 he embarked on H.M.S. *Sultan* for the East Indies, where he remained until December, 1785. During that period he was several times actively engaged with the French fleet, and on one occasion (6th July 1781) was severely wounded. After his return to England in 1785 he obtained leave of absence, and upon resuming duty was appointed first lieutenant of the 59th Company of Marines, with orders to embark with Governor Phillip for New South Wales. His movements from that date are familiar to students of Australian history. Till 1800 he continued in active service at Sydney and Norfolk Island, embarking for England in H.M.S. *Buffalo* on 28th September, 1800, under circumstances which have already been described in these *Records*.* He returned in the same ship in October, 1802. During the Governorship of Hunter, Johnstone for some time acted as his Aide-de-Camp. The dates of his various promotions were: Captain, 25th September, 1792; Major, 13th

* Vol iv, pp. 201, 202, 228.

November, 1806 ; Lieutenant-Colonel, 7th May, 1808. Upon the Marines being relieved by the New South Wales Corps (1791-2), Captain Johnston remained in the colony and was given the command of the auxiliary company of the New South Wales Corps, which had been formed from those of the Marines who preferred to remain in the colony. In March, 1804, Johnston acted with great coolness and courage in quelling an insurrection of convicts at Vinegar Hill. His report of the event, addressed to his commanding officer, Lieutenant-Colonel Paterson, will be found on p. 348 of vol. v of these *Records*. In recognition of his services on this occasion, Governor King gave him a grant of 2,000 acres of land in the vicinity of Prospect Hill. Johnston's part in arresting Bligh will be found fully described in the pages of this volume. Anticipating that his conduct would form the subject of an official inquiry, Johnston embarked for England in the Admiral Gambier on the 28th March, 1809, John Macarthur sailing in the same vessel. The result of the Court-Martial, which was held at Chelsea in May, 1811, was that Johnston was cashiered. The whole of the evidence given at the trial was published at its conclusion. Johnston returned to the colony in October, 1812, living quietly upon his estate, "Annandale," near Sydney, where he died on 3rd January, 1823, aged 59 years. Governor Macquarie, who, at the time of Johnston's death was residing in retirement in England, had a very high opinion of Johnston's character. In a letter of condolence to the family, he stated that his case had been engaging the attention of the War Office, and that had he lived six months longer he would have been reinstated in his rank in the Army.

No event in the history of Australia has been more fruitful of controversy than the step taken by Major Johnston in deposing Governor Bligh, and assuming the Government under the title of Lieutenant-Governor. In the pages of this volume the student of history will find the data to enable him to appraise for himself the value of the claims put forward by the advocates on either side. No attempt has been made to favour one party more than the other, and all the information that could be gleaned from authentic sources has been included.

For the first twelve months after his arrival, in August, 1806, Bligh appears to have lived on pleasant terms with everyone; even John Macarthur was a frequent and honoured guest at Government House. In July, 1807, occurred the first important difference of which we have any record. The circumstances were as follows:—John Macarthur held a promissory note of Andrew Thompson (Bligh's bailiff), for a certain sum expressed in bushels of wheat. When the note was given, wheat was selling at 7s. 6d. per bushel; but when it became due, the price had risen to 30s. per bushel. A dispute arose. Thompson offered wheat to the value of the note. Macarthur claimed the specific number of bushels of wheat expressed upon the face of the note, irrespective of value. The case on appeal came before Bligh, who refused to hear Macarthur, and decided in favour of Thompson. Macarthur, aflame in a moment, ceased to visit at Government House. Reference to the dispute concerning the wheat note will be found on pp. 485 *et seq.* Macarthur's claim will not appear so inequitable when it is borne in mind that Thompson had not suffered by the flood which caused the scarcity of wheat. Macarthur claimed that as he would have been the loser had a fall occurred in the price, so he should be allowed to benefit by a rise. In the absence of the terms of the contract, no opinion can be given as regards the legal aspect of the question. There can, however, be little doubt that in an English court an action for specific performance would have succeeded. The real essence of the question lies, however, in the fact that the wheat was used as a medium of exchange; that it merely represented a certain sum or value; and that that sum or value alone should have been considered whether wheat rose or fell. In the exceptional circumstances of the case, Bligh's decision certainly seems to have been reasonable and fair.

From this dispute we can date all Bligh's difficulties. Even while it was in progress he fell foul of D'Arcy Wentworth. The facts of the case are given at length in Wentworth's letter to Viscount Castlereagh and its enclosures (post, pp. 313–28), Bligh's letter of 31st October, 1807 (post, p. 368), and the report of the proceedings of 17th February, 1808 (post, p. 522).

In October, 1807, Bligh and Macarthur were again in open conflict. Macarthur's agent in London had, without his authority,

sent out to him a still. When it arrived Bligh directed the Naval Officer to take possession of it, and send it back to England in the next homeward-bound vessel. One part (the copper), as it contained a quantity of medicines, Macarthur was allowed to take possession of. When the time came for shipping the still to England, Macarthur informed the Naval Officer that he proposed to dispose of it to the master of a ship going to India or China, or, in case the Governor objected, Bligh could do what he liked with the head and worm, and he (Macarthur) would appropriate the copper to some domestic purpose. Bligh refused to take any notice of Macarthur's proposal, and directed the Naval Officer to see that his orders for the re-shipment of the still were carried out. The Naval Officer caused the parts of the still in Macarthur's possession to be seized and shipped, and Macarthur thereupon brought an action for wrongful seizure of property. The case was heard before Major Johnston, Richard Atkins, and John Palmer. Macarthur made a spirited address, and Johnston and Atkins decided the case in his favour, Palmer dissenting. The report of the proceedings will be found on pp. 332-5, post.

That Bligh at this time was not on friendly terms with the officers as a class is evident from the letters of Major Johnston (post, p. 652), Surgeon John Harris (post, pp. 336, 342), and Lieutenant Minchin (post, p. 331).

The month of November appears to have passed without any notable contention; but early in December hostilities were resumed. In June, 1807, a vessel belonging to Macarthur sailed for Tahiti, and after her departure it was discovered that a convict was missing.* When the ship returned it was found that the convict had not only escaped in her, but that he had been allowed to trans-ship at Tahiti and get clear away. Upon learning this, Bligh determined to forfeit the bonds (£900 in all) required under clause 2 of the Port Regulations (post, p. 194). Macarthur declined to liquidate the bond, whereupon the Naval Officer refused to allow the vessel to be entered, and placed two police officers on board, in charge. Macarthur immediately wrote to the captain and crew (the letter is printed on p. 466, post) informing them that he had abandoned the vessel, and they were no longer to look to

* Post, p. 270.

him for support, pay or provisions. Holding that Macarthur was responsible for the breach of the Port Regulations which the master and crew committed in going unauthorised on shore, Bligh directed the Judge-Advocate to summon him to appear at 10 a.m. the following day to answer for his conduct. The letter will be found on p. 471. Macarthur's reply (post, pp. 466-7) was not calculated to pacify a man of Bligh's irascible temper. Ignoring altogether the fact that the letter was in effect from the Governor himself, Macarthur treated it as if it had been a private communication from Atkins. He refused to attend at Sydney, and somewhat contemptuously referred the Judge-Advocate to the Naval Officer in whose possession the vessel was. Atkins thereupon issued a warrant (post, p. 474) for Macarthur to be brought before the Magistrates for contempt in not obeying his summons. In this he was wrong. The letter which Atkins, at Bligh's order, had sent to Macarthur was not a summons. It would, certainly, have been more decorous on Macarthur's part to have attended, out of respect to the Governor,* but he was quite within his legal rights in refusing. The warrant referred to (post, p. 474) was served upon Macarthur by a constable, whose account of the transaction will be found on pp. 477 and 506, post. Macarthur, it will be seen, had, at this point, evidently determined to fight the Governor openly. He told the constable that he would not submit until he was forced; advised him if he came a second time to come armed, for he would not submit till blood was shed; and added, significantly, that Bligh and his friends would soon make a rope to hang themselves. Such open defiance of the civil power could not be passed over, and a Bench of Magistrates was immediately convened. A warrant was issued for the arrest of Macarthur and his detention in gaol until liberated by due course of law. He was arrested, admitted to bail, and appeared the following day before a Bench of Magistrates, who, peremptorily, committed him for trial at the next Criminal Court. The proceedings before the Bench of Magistrates will be found on p. 477, post.

* Macarthur no doubt felt that he had acted ill-advisedly in this particular. At the trial of Lieutenant-Colonel Johnston he explained that he intended no disobedience, and was under the impression that all that was required of him was an explanation.

The Criminal Court did not sit until 25th January, 1808; but Macarthur, who was out on bail, was not idle. Four days after he was committed to take his trial he waited upon the Judge-Advocate, and requested the settlement of a bill of exchange which Atkins had drawn on a relative fourteen years before, and which had been dishonoured on presentation. Atkins replied that although covered by the Statute of Limitations, he would pay the bill if Macarthur presented the original and the protest. This he did; but Atkins disputed the interest charged, and after waiting a week Macarthur addressed a memorial to Bligh (printed on p. 395, post), praying him to interfere on his behalf. Bligh answered that the Court was open to Macarthur to prosecute his claim. Macarthur pointed out that as Atkins was Judge he would not only be sitting in judgment on himself, but would have to issue a writ to bring himself before himself to answer the charge. Bligh referred the matter to Atkins, who informed Macarthur (post, p. 412) that until his (Macarthur's) trial was over he would not discuss that or any other subject with him. Macarthur complained again (post, p. 413) to Bligh, and stated if he was not allowed to prosecute his claim before a disinterested tribunal he would appeal to the Secretary of State.

At this stage a fresh cause of irritation arose. On the 13th January, 1808, the Surveyor-General addressed a letter to Macarthur (post, p. 413) at the direction of Governor Bligh, with reference to a piece of land on Church Hill, of which Governor King had granted Macarthur a lease. Particular orders* had been received, so Bligh stated, respecting lands contiguous to the church, and Macarthur was forbidden to build upon his leasehold; he would be permitted, however, to exchange it for another piece of equal size. Other sites were suggested; but no agreement could be arrived at, and finally, on 14th January, Bligh notified Macarthur that pending instructions from England the matter would have to remain in abeyance, and in the meantime no letter from him on the subject would be received. Macarthur

* There is no trace of any evidence in proof of this assertion of Bligh. No written orders can be found, and on such a point they would hardly be likely to have been verbal ones.

refused to recognise Bligh's right to cancel the lease, and proceeded to fence it in, only desisting when the posts were pulled down by Bligh's orders.

Affairs stood in this condition on the 20th January, and only five days remained before the date appointed for the hearing of the charges against Macarthur. Unable to obtain from Atkins a copy of the indictment or information which it was intended to exhibit against him, Macarthur, as a last resort, appealed to Bligh (post, p. 419) to appoint a substitute to Atkins as Judge-Advocate at the impending trial, on the ground that Atkins was interested in securing his conviction. This Bligh refused, giving as his reason that Atkins had been appointed by the Crown, and was the only person in the territory who could legally officiate. In so doing Bligh was ill-advised. His powers were so ample that had he chosen to appoint a *succedaneum* to the Judge-Advocate, no one would have blamed him. By refusing to do so, he identified himself to an extent with the personal antagonism which existed between Macarthur and Atkins, and lent colour to the contention that Macarthur was being pursued from motives other than those which should have actuated calm, grave men, charged with onerous vice-regal and judicial functions. In view of Bligh's expressed contempt of Atkins, it would have been more in keeping with the dignity of his high office had he recognised the fact that so weak and discredited an officer could not be allowed to sit in judgment on the affairs of his bitterest enemy without inviting the distrust of litigants and risking the prostitution of the forms of law and Courts of Justice. This, however, was no excuse for the six officers taking the matter in their own hands. If Bligh refused to interfere, they had no sort of right to override his decision.

On the morning of the 25th January, the Court nominated by Bligh met for the trial of Macarthur. It was composed of the Judge-Advocate (Atkins) and one captain and five lieutenants of the New South Wales Corps.

A full report of the proceedings of the Court will be found printed on pp. 422-33, post. It is, therefore, unnecessary to dwell at length upon Macarthur's protest against Atkins sitting as Judge, and the subsequent steps which led up to Bligh's letter (post,

. 433), of 26th January to each of the six officers who (with Atkins) composed the Court, calling upon them to appear before him on the following morning to answer charges laid against them by the Judge-Advocate. This letter decided Bligh's fate. It soon became known that the crimes with which they were charged were the most serious that could be brought against a soldier, viz., treason and usurpation of His Majesty's Government. To allow such charges to be investigated by the Governor and his partisans (Atkins, Palmer, Campbell, and Gore) would be fatal. From Atkins they could expect no quarter; Bligh was hardly likely to be less favourably disposed towards them; and they must have known that nothing short of the most abject recantation could save them from consequences which would prove ruinous to their prospects in the Army. So great a humiliation could only be obviated by persuading Johnston to assume the Government; and this they determined to do. It has been popularly supposed that John Macarthur was the leading spirit in persuading Johnston to arrest Bligh. This is an error. While the people at the barracks were urging Johnston to act, Macarthur was lying in prison, where he had been the whole of that day, without any means of personal communication with Johnston. Furthermore, we have not on the undisputed evidence of several witnesses that Johnston and Macarthur, prior to the arrest, were far from being on terms of intimacy. If any further proof is required it will be found in the fact that the act of releasing Macarthur and assuming, in so doing, the title of Lieutenant-Governor, clearly indicates that Johnston, before he met Macarthur on the 26th, had decided to usurp the civil power. This was the first act of the mutiny, and in it Macarthur could not have participated. As if to set the matter completely beyond doubt, we have Johnston's express admission that he was entirely influenced by the representations made to him *before* Macarthur joined the party at the barracks.*

In his first letter to England, after his arrest,† Bligh stated that the mutiny was not a mere accident arising out of the trial of Macarthur. It was, he alleged, a settled plan which Macarthur had formed some time before, and to which the military officers were privy.

* *Trial of Lieutenant-Colonel Johnston*, p. 383. † *Post*, p. 261.

The only direct evidence we possess on this point is a remarkable admission by Captain Abbott in a letter to ex-Governor King, dated 13th February, 1808, post p. 832, to the effect that he had advised Johnston, *before* the event, to immediately communicate with Lieutenant-Colonel Paterson, the Commanding Officer of the Corps, who was at the time stationed at Port Dalrymple. If this is true, the matter must have been discussed by the officers *before* the day on which the arrest was made; for at the time, Abbott was stationed at Parramatta and knew nothing of the events which were happening at Sydney until late in the night of the 26th, when Johnston dispatched a trooper to Parramatta informing him of his decision, and directing him to proclaim martial law. This admission by Abbott is somewhat discountenanced by his evidence at the trial of Johnston in May, 1811, when he stated on oath that he had no knowledge whatever of any intention on the part of Johnston or the officers to arrest Bligh.

So far as the information now available throws any light upon the transactions of Tuesday, 26th January, 1808, the following facts appear well authenticated:—At 9 a.m. the Provost-Marshal, William Gore, by virtue of an escape warrant, arrested John Macarthur and confined him in the common gaol. At 10 a.m. the truncated Court met and, after having received the deposition of Blaxcell and Bayly (post, p. 429), forwarded two letters to Bligh (post, pp. 428, 429) urging him to liberate Macarthur and permit his trial to proceed. At 3 p.m., the Court having received no answer from Bligh, adjourned “till His Excellency’s pleasure is known.” After the adjournment, Bligh sent to each officer composing the Court a letter demanding his appearance at Government House at 9 a.m. on the following day (27th January), and immediately informed Johnston that they were charged with practices which the Judge-Advocate considered treasonable, suggesting at the same time, as he, Johnston, was too ill to come to town, that Captain Abbott should be sent from Parramatta to command the troops. During the whole of this time Macarthur remained in gaol. Upon receipt of Bligh’s message, Johnston appears to have hastened to town from his private house at Annandale. He called on his way at Ultimo, where Lieutenant Minchin was dining with Surgeon Harris, and the former drove him across to the

barracks, then, and for many years afterwards, situated where Wynyard Square now is. One of his first acts was to order the drum to beat to arms, in order to separate the soldiery from the populace.

The careful steps which the officers, under the guidance of Macarthur, took to accumulate evidence of maladministration on the part of Bligh, are well-known to every reader of the history of the period. Committees were appointed to examine his public and private papers. Such as were deemed likely to inculpate him with the Government, or render him obnoxious to the colonists, were seized and made public. His partizans and advisers were subject to severe examinations by the newly appointed magistrates, and no labour was spared to render the position of the usurpers secure when the inevitable day of reckoning arrived. The evidence given by Bligh's secretary and others before committees of officers will be found on pp. 435 to 453, post.

It will be noticed that the requisition of the 26th January (post, p. 434), imploring Johnston to put Bligh under arrest and assume the command of the colony, was not signed by any of the military officers. Not only would their names have carried no weight, by reason of their professional relations with the Major, but the fact that they had a serious charge hanging over their heads would have immediately suggested a motive. The eagerness with which they urged the step is, however, none the less apparent. Johnston told Bligh (post, p. 434) that all the officers under his command joined in the charges made against him, and that it was "by the advice of all my officers, and by the advice of every respectable inhabitant in the town of Sydney," that he was placed under an arrest. After the arrest had been made the officers came forward in no doubtful way to assure Johnston of their support. They thanked him for his "manly and honorable interposition," and hailed him as the "protector of our property, liberty, lives, and reputations." They requested him not to relinquish the command, in case a superior officer arrived upon the scene, unless that officer consented to confirm the measures he had adopted. This address, like that of the 26th January, was also signed by several of the civil officers and a number of the principal inhabitants. The original document has been preserved,

and may be seen in the National Art Gallery, Sydney. An *ex fac-simile* is given at page 454, post. It will be noticed that in this address the military took the lead.

On the 27th January, 1808 (post, p. 453), Johnston proclaimed the cessation of martial law. He expressed his approbation of the "manly, firm, and orderly conduct" of the whole body of the people, and assured them that, having "appointed magistrate and public functionaries from amongst the most respectable officers and inhabitants," they could rely upon the impartial administration of justice. In framing this proclamation he took as his model no less a document than Magna Charta. His announcement that "No free man shall be taken, imprisoned, or deprived of his house, land, or liberty," is a literal translation of part of the 29th clause of Magna Charta: "*Nullus liber homo capiatur vel imprisonetur aut disseisatur de libero tenemento suo vel libertatibus.*"

One of the first acts of the officers after the arrest of Bligh and the re-establishment of civil law was to proceed to try those whom Bligh had either openly or secretly accused. First and foremost was the case of John Macarthur. Johnston summoned the same six officers as Bligh had summoned; but in the place of Judge-Advocate Atkins he appointed the Surveyor-General, Charles Grimes. He handed to them all the papers which had been taken from Atkins, and directed them to proceed upon the same indictment and in the same way as had been intended in the original Court. The proceedings in the case are very voluminous. A report of the trial will be found on pp. 465-510, post. The decision was a foregone conclusion. The Court unanimously and fully acquitted him on all the charges. Similarly in the case of D'Arcy Wentworth, Bligh's letter of 31st October, 1807 (post page 368), was made the foundation of the indictment. He was also acquitted on all the charges. The evidence is printed in full (post, pp. 522-7).

It is remarkable that at the trial of Lieutenant-Colonel Johnston in May, 1811, it was quite impossible to induce the witnesses for the defence to say exactly who (other than the officers) met Johnston upon his arrival at the barracks. John Blaxland states he arrived afterwards—probably with his brother, Gregory

anything points to Macarthur's partner, Blaxcell, and his mate friend, Bayly, being the principals. If to them we add Thomas Jamison, James Mileham, James Badgery, Simeon Lord, afterwards the two Blaxlands, we will probably not be far from the actual number. Of these it should be remarked that Jamison and Mileham were civil officers; and Blaxcell and Bayly military officers. Thus the actual number of free inhabitants who were either officers or ex-officers is reduced to very small proportions. It is important to remember this in the light of the conclusion that much of the pressure brought to bear upon Johnston came from outside sources. It clearly shows, however, that the military officers who had been charged by Bligh with treason were principal advocates for his arrest. They had most to fear from anger; and, certainly, to no other body of men, then in the colony, would Johnston have listened for a moment had such a suggestion been made. It is in the attitude of the officers of the New South Wales Corps that we find the only feasible explanation of the mutinous demeanour of the private soldiers. We look in vain for the pitiless severity and the ill-conditions which are ordinarily supposed to breed discontent and mutiny in a regiment. The soldiers appear to have been well-fed, well-housed, well-clad, and well and regularly paid; their duties were not laborious; and although much of the pomp and circumstance of war were wanting, so were *all* of its dangers. In a properly disciplined regiment, imprisoning a station such as Sydney, however the irascibility of the Governor might have irritated the officers, they should never have allowed his personal defects to reach, or influence, the private soldier. It is true that the Governor is alleged to have descended to the use of abusive language to parties of soldiers upon more than one occasion; but he was not the only Governor who offended them.* Moreover, he did not come, as Commander-in-Chief, into direct official contact with the men; for the officers to assert, as several of them did, that had not Johnston arrested Bligh the soldiers would have broken out into a rebellion, is either a grave reflection upon their control of

Peterson informed the Under-Secretary of State that few troops would have met with equal steadiness the insults which Governor King offered to both officers and men. (Vol. iv, p. 903.)

their men or a proof that there must have been some reason other than appears upon the surface, or than would apply to British troops under ordinary circumstances.

Immediately Macarthur joined the officers at the barracks he assumed, as if by right, the real leadership. He pointed out to Johnston that if those who were desirous that he should assume the Government would sign a formal written requisition, they would never afterwards be able to disavow their declarations; and he immediately gave effect to his suggestion by penning with his own hand the requisition of 26th January, 1808. This interesting document is still in existence. The original is preserved in the National Art Gallery. A full-sized *fac-simile* will be found at p. 434, post. It has been stated that Macarthur wrote it on gun in the barrack-square; but the appearance of the writing does not bear this out. The date and subscription appear to have been filled in by another hand. Some very remarkable evidence was given at the Court Martial on Johnston concerning this interesting document. Johnston, in his opening address to the Court thus referred to it:—

“When Mr. McArthur arrived he observed to me that if I resolve to adopt such a measure I should not do it without a requisition in writing. He drew up a paper to that effect, which, as soon as laid upon the table, was filled with as many signatures as it could contain. . . . This strong requisition, and the evident state of the public mind, determined my proceeding.”†

This was Johnston's statement *before* his witnesses had been cross-examined. In his reply at the conclusion of the trial he abandoned the position. The “strong requisition which had determined his proceeding” had dwindled to a trivial inconsequence.

“The written paper, which was laid before the Court, had no share in deciding the resolution I adopted, nor did I at the time consider who signed it, or, in fact, give myself any concern about it.”‡

As a matter of fact, it came out in evidence that nearly all the signatures to the address were obtained after the arrest had been made. Charles Grimes, the Surveyor-General, one of Johnston's

* *Trial of Lieutenant-Colonel Johnston*, p. 383. † *Ib.*, p. 152. ‡ *Ib.*, p. 383.

own witnesses, admitted that he signed it after the event. His name was tenth on the list. Some of those who signed before Grimes might have also signed after Bligh was arrested. Certainly 145 whose names followed Grimes's must have done so. It is only known for certain that two (Macarthur and J. Blaxland) signed the requisition before Johnston acted.

Captain Charles Walker stated :—

"There were not five persons at Sydney who knew of it before it happened, excepting the officers. The officers, Mr. McArthur, and two or three more who were concerned in it were the only persons."*

The Rev. R. Hassall stated (post, p. 708) that he did not know of ten respectable inhabitants in the whole colony that knew of the business until after it had taken place.

When once his mind was made up Johnston did not delay. He placed himself at the head of the troops, and having sent officers on ahead to inform Bligh of his intentions, and assure him that no injury would be done to his person, he crossed the Tank Stream, and with the regimental band playing a lively air, drew up his men in front of Government House, which then stood at the intersection of Bridge and Phillip Streets.† The officers who had been sent on before, reported to him that Bligh had concealed himself, and was nowhere to be found. It was then about half-past six—and as the sun does not set at that time of the year until 7 p.m., they had nearly an hour of daylight left. According to all accounts, the whole of this time was taken up in searching for Bligh. Johnston stated‡ that they searched for two hours. Harris said, "I had been at the house two hours, and the Governor was not forthcoming."§ Serjeant-Major Whittle alleged he was himself a full hour searching for the Governor before he found him.|| Serjeant Sutherland deposed that it was a full hour and a half before they found him.¶ Bligh himself admitted that, after he had heard them searching for him a long time throughout the house, they "rummaged all the outhouses and searched the grounds"*** before they found him. All these accounts, it will be

* *Trial of Lieutenant-Colonel Johnston*, p. 137.

† Phillip-street appears upon the map of 1807 as Mulgrave-street.

‡ *Trial of Lieutenant-Colonel Johnston*, p. 153. § *Ib.*, p. 334. || *Ib.*, p. 369.

¶ *Ib.*, p. 372. *** *Ib.*, p. 26.

noticed, agree in one vital particular, namely, that Bligh concealed himself successfully for a considerable time—not less, according to the lowest estimate, than an hour. We have more than one account by Bligh himself of the transaction. In his first letter to the Secretary of State he wrote (post p. 618) :—“I had only just time to retire upstairs to prevent giving myself up, and to see if anything could be done for the restoration of my authority.”

In his address in reply to the Court which tried Johnston, he gave a more circumstantial account :—

“Just before I was arrested, on learning of the approach of the regiment, I called for my uniform (which is not a dress adapted to concealment), and going into the room where the papers were kept, I selected a few which I thought most important either to retain for the protection of my character, or to prevent from falling into the hands of the insurgents. Among the latter were copies of my private and confidential communications to the Secretary of State of the conduct of several persons then in the colony. With these I retired upstairs, and having concealed some about my person, I proceeded to tear the remainder. In the attitude of stooping for this purpose, with my papers about on the floor, I was discovered by the soldiers on the other side of the bed. As to the situation in which it was said I was found, I can prove by two witnesses that it was utterly impossible.”*

In opening the proceedings against Johnston, Bligh’s account of his motive for retiring to the lumber-room was as follows :—

“Feeling that they were coming with great fierceness to seize my person, I retired into a room. . . . There were two rooms in the place that I went into—an inner and an outer room—divided from each other by a small partition with a door between them. I went into the inner room where there was a window, at which it was my contemplation how I could possibly get clear of the troops that had surrounded the house and get to the Hawkesbury. . . . While I was in the room which I have mentioned the door between the two rooms was shut, and there I arranged the papers which I had got with me and tore a number of them in order to lessen my bundle which was too large to be concealed under my waistcoat. . . . During this time the troops were running all over the house ; they had rummaged everywhere except this room ; and while I was in, busied about these papers, the door was opened, and the person who opened the door, who was Lieutenant-

* *Trial of Lieutenant-Colonel Johnston*, pp. 390, 391.

Moore of the same corps, said, 'Pooh! Pooh! you need not come in here, the Governor is not here,' just in that indifferent kind of way. 'The Governor is not in here; the Governor is not to be found here'; and retired, and the door was shut again I then heard a halloo-balloo, and a man cry out 'Damn my eyes, I will find him! Soldiers, come upstairs again, I will have another search,' or words to that effect. The fellows came in. . . . The party consisted of eight or ten. . . . They came with their muskets and bayonets fixed into the room, and there they found me. There was a halloo-balloo directly, and a cheering by the troops outside that the Governor was found."

Such was Bligh's account of the arrest. That of the soldiers differs in this respect that he was not hiding his papers, but was himself hidden under a bed. Whilst too much weight must not be attached to the evidence of the two private soldiers (who could not be ignorant that the humiliation of Bligh would not be unpleasing to their officers), it by no means follows that even if we accept their account Bligh deserved the imputation of cowardice which was so sedulously circulated by his enemies. To a man who had proved himself so full of resources in the face of dangers inconceivably greater than those which confronted him on the occasion under notice, it would be evident in a moment that no useful purpose could be served by quietly surrendering himself; nor could any defensive steps be of the slightest service. The only possible alternative was to escape.

The element of personal courage hardly enters into the question. Bligh must have known that had he quietly surrendered there was no reasonable likelihood of any violence being offered to his person. As a matter of fact, a coward would have surrendered without an effort. History tells us of numberless expedients to which the bravest men have had to resort to retain or regain their liberty. It should not be a greater indication of cowardice to hide behind a bed than in an oak tree. Viewed in this light, it is of very little moment whether we accept the story of the two private soldiers who stated that they found him hidden beneath the bed, or that of Bligh himself that he was hiding papers behind the bed.

As a matter of fact, there is a remarkable discrepancy between the accounts given by the two soldiers (Sutherland and

Marlborough) who alleged they discovered Bligh, which has hitherto escaped observation, and which robs their evidence of much of its value. Serjeant Sutherland, in describing the circumstance of the arrest at the Court-Martial on Lieutenant-Colonel Johnston, gave a minute account, which exactly agrees with that of Lance-Corporal Marlborough (post, p. 575) in all but one most vital point. Sutherland swore that he *helped Bligh over the bed*. He was particular even in stating that it was while Bligh was coming *over* the bed that Lieutenant Minchin entered the room. Marlborough, on the other hand, stated (also on oath, post, p. 575) that he caught Governor Bligh by the collar *and dragged him from under the bed*. These are the only two men who have spoken from direct personal knowledge on the subject ; all other evidence has been second-hand.

Immediately after the arrest of Bligh, Johnston reported the fact to his superior officer, Lieutenant-Colonel Paterson, then in charge of the settlement at Port Dalrymple. The letter, dated 2nd February, 1808, has unfortunately been lost ; but we have Paterson's answer (post, p. 536), and also Johnston's second letter (post, p. 595), from which it is apparent that Paterson's presence at Sydney was not very greatly desired. The vessel by which the first report was sent down was a small sloop engaged in the oil trade. Paterson would hardly be likely to attempt to return in her. When Paterson's reply of 12th March, 1808, was received requesting that the Porpoise should be despatched at once to bring him to head quarters, his request was complied with ; but, at the same time, he was informed that it was considered at Sydney that his appointment at Port Dalrymple superseded his commission as Lieutenant-Governor, and that his successor had actually been nominated (presumably Foveaux, who was daily expected to arrive from England). Paterson, in reply (post, 637), pointed out that according to the rules of the service, Johnston should have sent a proper conveyance to Port Dalrymple at once, so that he could have taken ship immediately for headquarters. It is difficult to conceive how two opinions on this subject could exist. There is no possible excuse for Johnston's conduct. Although unable to understand the rumour that his junior had been placed over his head, Paterson saw that if it should transpire to be true, Foveaux

would take charge of Sydney, and he would have to return to the Tamar; consequently he decided to wait till Foveaux arrived and the nature of his commission became known. The result justified his original intentions, and early in 1809 he landed in Sydney and took charge.

In these pages the reader will be able to get a clearer insight than has hitherto been possible into the character and conduct of John Macarthur, one of the most notable figures in the history of our early days. Although, as pointed out on a previous page, he was not present when the officers first importuned Johnston to take the Government into his own hands, still, recognising that the crisis which had arisen was the direct consequence of his repeated conflicts with Bligh, he threw the whole weight of his strong personality into the conflict, and from the moment of his release from prison, on the afternoon of 26th January, 1808, until the trial in London three years afterwards, he was practically the leader. That this was recognised at the time is evident from contemporary records. Bligh informed the British Government that Macarthur had "unbounded influence over Johnston," and that he (Macarthur) was "the director of every measure."* Writing to the Secretary of the Admiralty immediately after the arrest, he said of Macarthur, "He is virtually now Governor of the colony."† In alluding to the appointment of Macarthur to the honorary office of Colonial Secretary—which was made three weeks after the arrest—Bligh stated that Macarthur had thereby become the sole manager of the colony, and that Johnston was only his instrument.‡

George Caley, in an open letter to Major Johnston, wrote:—

At length it was plainly seen to every one that the Colonial Secretary (Macarthur) was in possession of the command, and that you had been made a tool of, to answer his ambitious views."§

At the meeting held in the church on 8th February, 1808, after resolutions thanking Johnston and the New South Wales Corps had been passed, a similar one in regard to Macarthur was carried, in which he was described as having been "chiefly instrumental

* Post, p. 665.

† Ib., p. 630.

‡ Ib., p. 669.

§ Ib., p. 688.

in bringing about the happy change."* Dr. Townson, who signed the requisition for the arrest of Bligh, wrote to Castlereagh in April, 1808 :

The power is now in the hands of the military, and Captain MacArthur under the title of Colonial Secretary, does everything."†

If any further proof is needed it will be found in Johnston's own letter to the officers, printed on p. 600, post.

On the whole, Macarthur used his great powers for the public good. Many of the principals in the mutiny thought that they would easily obtain from the new rulers large grants of land and other concessions; and when it was seen that the Government was being administered with care and economy, they were loud in their murmurs against the new Colonial Secretary; so much so, in fact, that Johnston was constrained to address all the officers, civil and military, asking them, if they had anything to allege against Macarthur, to come forward and distinctly state in writing what it was they charged him with. He reminded them of their pledge to support him in administering the Government, extolled Macarthur's zeal and the fearlessness with which he had performed the difficult duties of his office, and expressed a hope that some of them would have enough public spirit if Macarthur were to go, to accept the office and labour as assiduously and disinterestedly as he had done (post, p. 600).

The officers returned a curt reply, which shows that they were nettled at Macarthur's influence and importance. They did not deem themselves justified in calling into question Johnston's right to consult any person he thought proper. And they would "at all times feel much pleasure in observing his orders, which is all they consider they have to do as officers serving under him."

Not only with the officers, but with some of the free settlers was Macarthur unpopular. Immediately after the arrival of Bligh, a number of them presented to him addresses repudiating an address of welcome which Macarthur had signed on behalf of the free inhabitants.|| They stated that had they chosen any one to sign on their behalf it would not have been Macarthur. This probably prejudiced Bligh against Macarthur at the very outset.

* Post, p. 513. † Ib., p. 571. ‡ Ib., p. 601. § Ib., pp. 188, 191. || Ib., p. 165

Too much attention should not be paid to the violently worded address to Johnston, which is printed on p. 597, and in which Macarthur is charged with having "violated the law, violated public faith, and trampled on the most sacred and constitutional rights of British subjects," for which and other like reasons Johnston was requested to remove him from the office of Colonial Secretary and forbid him to participate in the government of the colony. The original of this paper is now lost, so that it is impossible to say who signed it. It is a remarkable fact, however, and one that speaks volumes for Macarthur's integrity, that neither in this nor in any other of the violent charges of maladministration which were made against him was a specific accusation of any kind made. Through all the records of the period the same note prevails. Macarthur was a generous champion of the cause of his friends; a man with a private reputation which it was impossible to impugn—upright and conscientious to the highest degree, but stubborn and resentive to a fault. No one could be more easily provoked, and no one could be more inveterate in his likes or dislikes; but he was gifted with the rare power of political foresight. He realised the magnificent future in store for these southern lands; he saw, when no one else did, that the colony would in time be able to supply the looms of Great Britain with fleeces equal to those of Old Spain; and beyond all question he did in this direction more lasting good to Australia than any other man of his generation. We can easily afford, therefore, to overlook his violent temper, his quarrels with the first four Governors—quarrels even carried so far as meetings in the field with men with whom he was thrown into contact, and officers who were his superiors in rank. Having once satisfied himself as to the right course to pursue, he never bent; and to this fact equally is due his unpopularity with those in authority, and the success which followed his efforts to develop the pastoral industry in New South Wales. The true life of John Macarthur has yet to be written; and although he was not the first one to introduce merino sheep into New South Wales, there can be no doubt in the mind of any man acquainted with the early history of the colony that he was the one man who demonstrated the adaptability of our soil and climate to the

production of what has been such a lucrative and lasting industry. Facing page 464 will be found a portrait of John Macarthur, which is an accurate reproduction of a miniature taken about the year 1817. It is now given to the public for the first time.

On page 380 will be found a letter from the Reverend Samuel Marsden to Edward Cooke, Under-Secretary of the Department of War and the Colonies, in which a very harrowing picture is drawn of the shocking condition of the colony from a moralist's point of view. Marsden's object in writing was to induce the Government to increase the number of clergymen and school teachers. He urged upon the Government the necessity of educating the large number of convicts' children (many of them illegitimate) who had no natural protectors, and would, in the ordinary course of events, grow up inured to idleness and crime. The result of Marsden's representations is seen in a letter by the Chancellor of the Exchequer (post, p. 393), authorising the appointment of additional ministers and school teachers. The first appointment that was made was a notable one. It was that of the Reverend William Cowper to the post of Assistant Colonial Chaplain. Mr. Cowper arrived in Sydney in August, 1806. Until his death, in 1858, he took a leading part in the religious affairs of the colony. His son, Sir Charles Cowper, was many times Premier of the colony.

When the news of Bligh's arrest was received in England it created very little stir. Edward Macarthur, who carried the first despatches, wrote to his father that "the public mind is at present so much agitated with the affairs of Portugal that neither the (the public) nor the Ministry in the least regard the occurrence in New South Wales."* This is not to be wondered at. Great Britain had laid aside her policy of purely defensive warfare, and news from the Peninsula had just been received in England of the first successes of her arms under Sir Arthur Wellesley. The whole country was ablaze with enthusiasm, war was on every tongue, and the affairs of a small convict settlement on the other side of the globe could hardly be expected to attract the attention of the masses. The official mind was no less engrossed. Viscount Castlereagh, the member of the Ministry charged with

* Post, p. 775.

administration of the affairs of the colony, was also Secretary of State for War; and it was not until a month after the news reached England that any definite action was taken.

It was then decided to completely change the policy which had been adopted from the date of the foundation of the settlement. The New South Wales Corps was recalled, a regiment of infantry was ordered to relieve it, and instead of a permanent force being stationed at the colony the troops were to be relieved periodically. A still more important change was made in appointing a military instead of a naval officer as Governor. For this latter change there were two reasons: Firstly, a naval man was under the divided control of the Admiralty and the Colonial Office, whereas a military officer was only amenable to the Secretary of State, who performed the dual functions of Minister of War and the Colonies. Secondly, it was recognised that nothing could be more likely to foment official broils than to place a naval man in charge of a station where the military element predominated to the extent it did at Sydney. This had been emphasised by the experiences of Phillip and his successors—Hunter, King, and Bligh (all sea captains). Each of them, at one time or another, was in violent and open conflict with the military. Although, as is well known, Bligh was succeeded by Lachlan Macquarie, the choice of the Government, in the first instance, did not fall upon him. In December, 1808, Castlereagh offered the position to Brigadier-General Nightingall, a soldier of distinction, who had served in the opening campaign of the Peninsula War. Nightingall accepted the position; but in the spring of 1809, when in the middle of his preparations for embarking, he was forced, by sickness, to remain in England, and Macquarie, who commanded the regiment which was ordered to relieve the New South Wales Corps, was appointed in his stead.

The illustrations in this volume are upon a larger and somewhat more ambitious scale than has been possible in earlier numbers. I have been fortunate in receiving from the descendants of Governor King, Governor Bligh, John Macarthur, and Lieutenant-Colonel Johnston original portraits of their ancestors,

in the shape of beautifully executed miniatures and paintings which have for years been treasured as precious family heirlooms and are now given to the world for the first time. The portrait of Admiral Bligh—which forms the frontispiece—shows him as an old man of about sixty years of age.* The original (a very finely executed miniature) is in the possession of his grandson, W. R. Bligh, Esq., of Parramatta, from whom I have, in addition, received a number of rare original documents, which greatly enhance the value of this volume. They are distinguished from other records by the heading, “Bligh Papers.” The portrait of Captain Bligh, which faces p. 118, was taken when he was, comparatively, a young man—certainly sixteen years before he arrived in New South Wales. The original (an oil painting by J. Russell, R.A., crayon painter to George III) is still in existence. It is in the possession of Bligh’s granddaughter, Mrs. Mary Nutting, of Warwick, England, who very obligingly had a photograph taken of the painting and forwarded it to me for publication in these *Records*.†

The portrait of Governor Philip Gidley King, which faces p. 1, has been copied from a beautiful miniature in the possession of his grandson, the Hon. Philip Gidley King, M.L.C., of Sydney. It shows us the Governor as he appeared when in command at Sydney, and has not, so far as I am aware, been published before. I am also indebted to Mr. King for the two small sketches of Sydney in 1797, by an unknown hand (probably King’s or Hunter’s), which face pp. 822 and 823, and for the excellent view of Sydney in 1804, by Surveyor G. W. Evans, which faces p. 836.

In addition, I have to thank Mr. King for the many rare and interesting manuscripts which he has placed at my disposal. Documents which have been printed from his large and valuable collection have been distinguished, as in previous volumes, by the heading “King Papers.”

The portrait of John Macarthur, which appears on p. 464, is copied from a miniature which has been in the possession of h

* Taken between the time of his departure from New South Wales in 1810 and his death in 1817.

† This portrait will be recognised as the original from which the frontispiece the *Narrative of Bligh’s Voyage* was engraved.

cendants for over eighty years. I am indebted for this interesting likeness to Mrs. Macarthur Onslow, of Camden Park, who has obligingly furnished me with a number of interesting documents concerning the Macarthur family. These are distinguished from other documents by the heading, "Macarthur papers." The portrait of John Macarthur was painted in 1817.

The portrait of Robert Brown, the most celebrated and the most erudite botanist that Australia has known, was furnished by J. H. Maiden, Esq., F.L.S., to whom also I am indebted for the notes on ex-Governor King's letter of December, 1807 (p. 97), on the indigenous timber trees of New South Wales.

The portraits of Captain Flinders and Lieutenant Bowen, both of the Royal Navy, are accurate reproductions of original photographs in the possession of J. J. Shillinglaw, Esq., F.R.G.S., of Melbourne, who voluntarily placed his valuable collection at my disposal. The portrait of Flinders, which faces p. 117, was painted during his captivity at the Isle of France, and as it now appears for the first time is of interest as bringing us face to face with the only rival which Captain Cook has in the field of early maritime discovery and original hydrographical labour in Australia.

A number of valuable documents were handed to me by the Hon. James Norton, LL.D., M.L.C., several of which have been reproduced in *fac-simile*, notably John Macarthur's and Surveyor Grimes's letters to Captain Piper (post, pp. 643 and 394).

To Mrs. Weston, of "Horsley," I am indebted for the portrait of her father, Lieutenant-Colonel Johnston, which faces p. 433. The original, painted during the lifetime of the Lieutenant-Colonel, shows him in the uniform of the old New South Wales (afterwards the 102nd) Regiment.

To Mr. Percival Johnston I am also under great obligations, particularly for permission to reproduce in *fac-simile* the original paper requesting Major Johnston to arrest Governor Bligh, the address of thanks to the Major after the event, and the depositions of Corporal Marlborough, which will be found on pp. 434, 444, and 464. These valuable documents were handed over to the State by Mrs. Fanny Johnston. They are now in the custody of the Trustees of the National Art Gallery of Sydney. I may

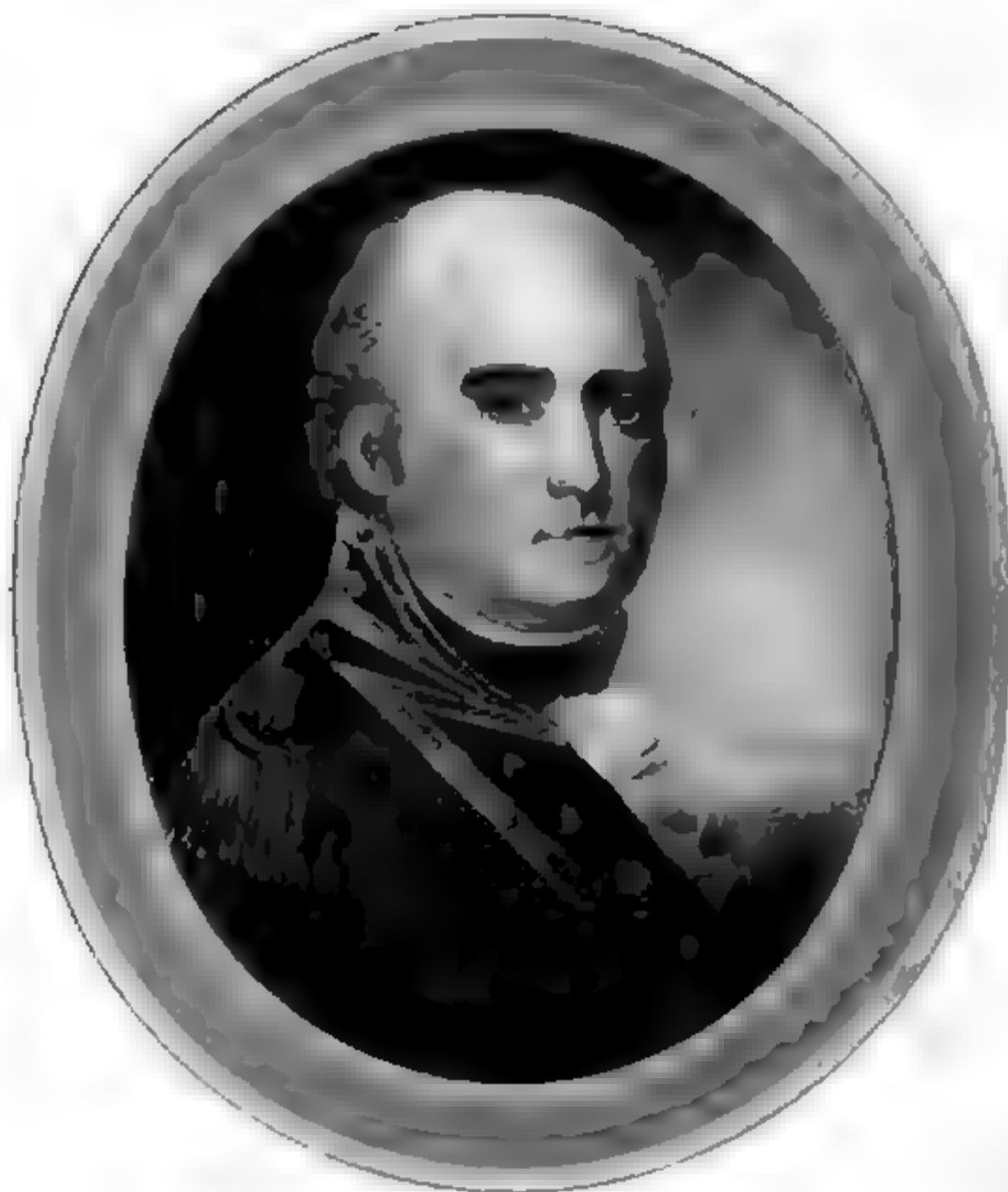
be permitted to express a sincere hope that the descendants of other old families will follow Mrs. Johnston's laudable example, and thus help to form the nucleus of a Public Records Department, in which the priceless documents of the past will be preserved and rendered accessible to future generations. I shall be glad, on behalf of the Government, to receive and take the necessary steps for the preservation of any documents bearing upon the early history of the colony, or having any relation to the first attempts at settlement in any part of Australia.

I feel that no duty is more incumbent upon me than to acknowledge the valuable aid which I have received in the preparation of these *Records* from James Bonwick, Esq., F.R.G.S., of London, who has furnished the major part of the documents which they contain. Had it not been for Mr. Bonwick's wide knowledge of Australian history, his marvellous industry in collecting material, and his untiring devotion to the project, it would have been impossible to offer these *Records* of the birth and adolescence of Australia in the form in which they now appear.

F. M. BLADEN.

1st December, 1898.





GOVERNOR PHILIP GIDLEY KING.

From a Miniature
in the possession of his grandson, the Hon. P. G. King, M L C.

HISTORICAL RECORDS

OF

NEW SOUTH WALES.

AMONGST the private papers of the Honorable P. G. King, M.L.C. (grandson of Governor King), are the following rough notes (pp. 1 to 10) in the Governor's handwriting. They are on detached sheets of small note-paper. Some of them appear to have been written while he was looking forward to the arrival of his successor, Captain William Bligh ; others at a later period, probably during the voyage to England. The frequent blanks indicate that he had not, at the time of writing, access to official documents. The first one, only, is dated :—

KING PAPERS.

The Legality of Government and General Orders.

1806

2nd January, 1806.

2 Jan.

IN a conversation between Mr. McArthur and myself respecting the free introduction and sale of spirits, which he defended the legality of, and which from experience and a thorough knowledge of the baneful effects of a small quantity being allowed to be landed while its influence lasted, I objected to in the most decided manner. He introduced the subject of some counsel's opinion of the illegality of all local Regulations, and that no Order or Regulation given by a Governor could be binding or legal unless sanctioned by an Act of Parliament. This subject was brought about on his urging the propriety of the distilling peaches into a spirit for the use of the inhabitants, and my testifying a wish to coincide, but that I felt a repugnance to doing it as the Judge-Advocate had said that he considered the introduction of the excise laws as a stretch of authority, and without adopting some of them I did not consider it possible to allow of that or any other distilling.

The Governor's power to make local Regulations.

As Mr. McArthur was not possessed of that authority, or chose to mention the name of the counsel who gave the opinion, I could only observe that this was the first time I ever heard of such an objection, as all the local Regulations were regularly sent [to] the

No exception taken to them in England.

1806 Minister for the Colonies, who had never made any exception, but
 2 Jan. had, in some instances, testified his approbation of the general
 part; a proof of which was my Lord Hobart's directing Lieut.
 Gov'r Collins to comply with those Orders, with most part of
 which he was furnished with copies for his guidance. And as
 most of the Orders I have given have been as near as possible con-
 formable to the existing laws of England, allowances being made
 for the descriptions of persons they were to govern, and rendered
 necessary by the local state of the colony and the precedents of
 former Governors, I most certainly have considered myself war-
 ranted in framing these Regulations, without which no human
 being could have preserved any degree of regularity or order.

Orders
conformable
to the laws
of England.

The laws of
England
inadequate.

Efficacy of
Colonial
Regulations.

If it is urged that the laws of England are sufficient for the
 government of this colony, experience has fully shown the falacy
 of such reasoning. Were the generality of the inhabitants of that
 mixed description that composes society in an English town and
 county, such reasoning might be allowed; but when it is considered
 that three-fourths of the inhabitants have been spared from an
 ignominious death by the humanity of the laws of England, and
 that the greater part of that number are so rooted in wickedness
 and vice, which can never be changed by any time or place (at
 least as far as respects the present generation), joined to the very
 little amendment that is seen in those who have either expiated
 their crimes, either by having served their terms or become eman-
 cipated—the necessity of these restrictive local Regulations must
 be visible to everyone who is, or ever has been, acquainted with
 the depravity of those which they govern in, and of the established
 law of England, which is lost sight of on no occasion whatever,
 and in those instances when a deviation is necessary for the security
 of persons and property, they are invariably adhered to as much
 as circumstances admits of it; nor in many cases does these devi-
 ations exist beyond the term that any exigency renders them
 absolutely necessary.

New Zealand Natives.

New Zealand
natives.

IN consequence of the great intercourse of the South whalers with
 the natives of the Bay of Islands, on the N.E. part of New Zee-
 land, some of the lower orders of them have been occasionally
 brought to Sydney, and among them a youth said to be the son
 of a powerful chief at the Bay of Islands who had always been
 extremely hospitable to the whalers. The report of the reception
 these people had met with induced others to follow; and as I had
 made the youth some presents of tools, &c., for his father, and had
 directed some breeding swine to be sent from Norfolk Island to
 the chief, he soon after formed a resolution of paying me a visit,
 and for that purpose he went to Norfolk Island in a small Colonial
 vessel, the master of which I am sorry to say treated him so ill

island in 1794,† and the kindness shown him by Captain
 , whose absolute authority was requisite to rescue Tap-a-he's
 best and most beloved son from the master of the vessel, who,
 is too much reason to apprehend, had destined the son for
 ayment of the father's passage, although he could not be
 ant that the kindness this family received at our hands
 d be abundantly repaid to the English whalers frequenting
 lay of Islands. Such wretches are who have no hesitation at
 sitting these acts, and such was the master's conduct as to
 uion the observation from Tip-a-he that he considered him as
 moti (i.e., of the lower class) as the only excuse for his con-
 . Shortly after, the Buffalo arrived at Norfolk to take the
 lies for Port Dalrymple, from whence she was to return here.
 opportunity Tip-a-he took advantage of to pay me the visit
 ad so long intended, and was received on board by Capt.
 stoun with his four sons. As some circumstances induced
 t. H. to go to the Derwent, Tip-a-he had an opportunity of
 ng that settlement, where he met with much civility from Col.
 ins and the officers of that colony during the ship's stay of one
 k. Unfortunately her arrival at Port Dalrymple was pre-
 ted by encountering one of the severest gales of wind that has
 ted the neighbourhood, that so effectually disabled the ship as
 nake her return to this port unavoidable.

Rescued by
 Piper.

Maoria visit
 King.

loon after the Buffalo anchored, Captain Houstoun waited on
 with his guest, who was clad in the costume of his country.
 being introduced he took up a number of his mats, laying them
 my feet, and disposed of a stone patoo patoo in the same
 mer, after which he performed the ceremony of Etongi or
 ing of noses. After many exclamations of surprise at the
 se and other objects that attracted his passing attention, he

The
 meeting.



- 1806 his visit, as it had been for the great blessing bestowed on it by the introduction of potatoes at Tookey and Woodoo's return from Norfolk Island. He also added that leaving New Zealand was much against the wishes of his dependants, but that objection was much outweighed by the probable advantages they would derive from his visit, and concluded by saying that he considered himself under my protection. If I wished him to remain here, go to Europe, or return to his own country, he was resigned to either, and in the most manly confidence submitted himself and his sons to my directions. All this was said in such an imposing manner that no doubt could be entertained of his sincerity.
- Tip-a-he's objects in visiting Sydney. As I was anxious that no kindness should be wanting to impress him with a full sense of the hospitality I wished to make him sensible of, he, with his eldest son, named Tookey, lived with me and eat at the table, whilst a very good room was allotted for his lodging and that of his sons.
- Description of Tip-a-he. Tip-a-he is 5 feet 11 inches high, stout, and extremely well made. His age appears about 46 or 48. His face is completely tattooed with the spiral marks shewn in "Hawkesworth's and Cook's Second Voyage," which, with similar marks on his hips and other parts of his body, point him out as a considerable chief or Etangatida Etikitia of the first class. To say that he was nearly civilized falls far short of his character, as every action and observation shows an uncommon attention to the rules of decency and propriety in his every action, and has much of the airs and manners of a man conversant with the world he lives in. In conversation he is extremely facetious and jocose, and, as he never reflected on any person, so Tip-a-he was alive to the least appearance of slight or inattention in others.
- A polished savage. He never missed any opportunity of gaining the most particular information respecting the cause and use of everything that struck his notice, and but few things there were of real utility that did not entirely engross his most serious attention. In communicating observations on his own country he was always very anxious to make himself understood, and spared no pains to convince us that the customs of his country were in several instances better than ours, many of which he looked on with the greatest contempt, and some with the most violent and abusive disapprobation, of which the following is an instance :
- An inquiring mind. Two soldiers and a convict were sent prisoners from Port Dalrymple to be tried by a Criminal Court for stealing some pork from the King's stores at that place. Tip-a-he attended their trial on the Friday, and one of them was ordered for execution on the following Monday. As is usual, they attended Divine service on the Sunday. As everyone was much affected at their situation, Tip-a-he was not wanting in commiseration ; but the instant the service was ended he went to the criminals and embracing them
- Tip-a-he's ideas of justice.

ly. Observing that I did not give him any answer or than by saying I should consider of it he left the room and did not make his re-appearance until the hour of dinner, having thrown off the dress he had made here, and appeared very violent, arguing in most furious manner against the severity of our laws sentencing a man to die for stealing pork, although he admitted that a man might very justly be put to death for stealing a piece of land, as that was of a permanent use; but stealing a piece of pork, to use his own expression, was eat and passed off, he considered as sanguine (*sic*) in the extreme. With much earnestness he begged his being allowed to take them to New Zealand, where provisions was not accounted a crime; and so earnest was this expedient that he went to the master of an American ship, then lying here, to request he would take them to New Zealand, where his ship would be loaded with potatoes as a recompense for their passage. During the three days that the fate of criminals were pending Tip-a-he would take no nourishment at all, and in several instances was inclined to be very furious. When, on its being signified that two were forgiven and that three of the others would be executed at Sydney, he came about a little, but would never be reconciled to the idea of men dying for taking wherewithal to eat—a natural reasoning to a man who inhabits a country where everything of that kind is abundant, and where their other wants are but few. A material part of Tip-a-he's visit here was to know if the ships that touched at the Bay all belonged to King George, and whether the refreshment and assistance he and his people gave them were right and proper. On this subject I explained to him the difference between the English and American colours, and that both were equally entitled to his kindness. He complained that in one instance a New Zealander had been flogged by the captain of a

Stealing
food no
crime.

English and
foreign
shipping



1806

Hospitality
of the
Maoris.A silver
medal.Other
presents.New Zea-
landers as
shepherds.Tip-a-he's
territories.Canni-
balism.

worthy chief and his people, I told him that I should impress on those who might visit him the necessity of their conducting themselves and people in a peaceable manner, and to give them articles in exchange for their potatoes and what stock he may in future have to spare—which the supplies of breeding swine and goats, with fowls, &c., sent from Norfolk Island, will soon enable him to do. To give him some proof of the estimation he was held in by me and the inhabitants of this place, I caused a medal to be made of silver with the following engraving: “Presented by Governor King to Tip-a-he, a Chief of New Zealand, during his visit at Port Jackson, in January, 1806”; and on the reverse: “In the reign of George the Third, by the Grace of God King of the United Kingdom of Great Britain and Ireland.” This medal was suspended by a strong silver chain round his neck. With this and his other presents he was pleased and gratified—particularly with the numerous tools and other articles of iron given him from the public stores and by every class of individuals. As several New Zealanders of the lower class had come here by different vessels, it was a desirable and useful object to endeavour to get a number of people sent from that country to distribute about as shepherds. On communicating this wish to Tip-a-he he appeared to give (*sic*) very readily into the idea, but insisted on sending the middling order of people, who would be more expert at labour and tractable than the *emokis* or lower class, who were too idle and vicious to send here and from whom no good could be got. Hence it appears, as well as from his general conversation, that the *emokis* are made to labour by the authority of the chiefs. How far our friend will be able to comply with his promise of sending some of his subjects here must depend on the degree of authority he possesses. From what I was able to learn, Tip-a-he's authority is very extensive. His residence we know to be on the north side of the Bay of Islands, just within Point Pococke,* where he has a considerable hippah, or fortified place. The district extending to the north-ward is called Why-po-poo; but he claims the whole country from Moodee Whenua across the island, which must be very extensive; and, as a proof of the accuracy of his assertions, he admits that Mowpah, who is chief about the River Thames, is his rival on the south and Moodee Whenua on the north.

On the subject of cannibalism we could get but little certain information, as Tip-a-he decidedly denied the existence of such a practice in his dominions, but said it was common in Mowpah's district. Ti-a-pe, a native of Moodee Whenua, also said it was a practice with Tip-a-he and his subjects. Where truth lies I am undecided; but I am of opinion, from everything I have heard and observed, that this practice most certainly prevails in New Zealand.

* So named by Captain Cook. The point is now known as Cape Wiwiki.

As our visitor was constant in his attendance at Divine service, 1806
his ideas on the existence of a God and matters of religion were
often conversed upon. The existence of a God who resides above
they believe, and that his shadow frequently visits the earth ;
that it is in the power of the priests to invoke the appearance of
his shadow (which is perceptible to them only) either for the
purpose of succouring the sick or on any other exigency. The pre-
sence of the Deity is made known by a gentle whistling. The rest
of the cure or other benefit depends on the charms or incantations
of the priests, in whose efficacy they have an implicit belief. The
dead are buried, and they believe that the spirit ascends ; but if it
enjoys a new state, or this "death is an eternal sleep," we could not
ascertain. But that there are future rewards and punishments
they consider as certain ; as well as the existence of an evil spirit
as opposed to the Deity, which they distinguish by the Otaheitian
name of Eatooa ; but they have no image to represent it, as have
the Otaheitians.

New Zea-
lander's
idea of the
super-
natural.

Polygamy exists. Tip-a-he told us of several wives he has had, one of whom he killed for having a troublesome tongue ; nor
could he help testifying his surprise that many of the women here
did not suffer the same fate. He has fifty-two children living,
but he now attaches himself to only one young woman, by whom
he has a son now eight years old, who accompanies him on his
visit and of whom he is very fond.

Silencing a
shrew.

Of the natives of this country he had the most contemptible
opinion, which both he and Tookey did not fail to manifest by
discovering the utmost abhorrence at their going naked, and their
want of ingenuity or inclination to procure food and make them-
selves comfortable, on which subject Tip-a-he on every occasion
reproached them very severely. Their battles he treated as the
most trifling mode of warfare, and was astonished that when they
had their adversary down they did not kill him, which it seems is
a custom among the New Zealanders and is carried to the most
unrelenting pitch ; indeed, no race of men could be treated with
a more marked contempt than the natives of this country were
by our visitors, who, it must be confessed, were infinitely their
superiors in every respect.

Contempt of
aborigine
of Australia.

Of Tip-a-he's independent and high spirits a better proof cannot
be given than the following circumstance that occurred a week
previous to his departure. Every person, particularly the officers
and their wives, had made him presents of some baubles, as well
as the greater part being of great use to him, which was clothing
and iron tools of most description. An officer's wife had given him,
among other things, a pair of ear-rings, which he very incon-
siderately bestowed on a young woman. The donation was soon
after discovered, and the ear-rings taken from the girl, on which
Tip-a-he was reproached for his want of respect for the original

Tip-a-he's
independ-
ence.

1806 donor, who, before this unlucky event, was very much respected by him. However, the instant he found that the ear-rings had been taken away, he packed every article up which he had received from that person (and among which were some useful things) and sent them by one of his sons; nor could he ever be persuaded to speak or see the lady who gave him the things, and constantly expressed his disgust at hearing of the presents he had received being in any way mentioned except by himself; and, to do him justice, he always took every opportunity of speaking of the donors with the most grateful respect.

* * * * *

The Lady Nelson to convey Tip-a-he home.

That no unpleasant circumstance might occur to him (Tip-a-he) on the passage, I ordered the Lady Nelson for that service; and as so good an opportunity of gaining some knowledge of that country might not soon recur, I purposed sending Mr. MacMillan, surgeon of the Buffalo, with some other people, to remain there, under Tip-a-he's protection for five or six months, for the purpose of making such observations on the inhabitants, their manners and customs, with the formation of the country, as the time and their situation might admit of. This measure was stopped, after every preparation was made, by the arrival of a vessel from England, from whom I learned that an officer was on his way out to relieve me in consequence of a request I had made to that purpose in May, 1803. I therefore did not think the Service would allow of my detaching the surgeon and any of the people in case of the Buffalo's services being wanted.*

Tip-a-he was most chagrined at this disappointment, and I firmly believe he would have been very kind and attentive to the party; and whenever that country is explored, I am certain our worthy visitor's good offices will not be wanting.†

King's Policy.

King actuated by high motives.

My aim has been the prosperity of this colony, and giving a permanent security to the real interests of its inhabitants as far as lay in my power. I do not, nor cannot, expect to have satisfied every person. That, I have ever known, is in a great measure incompatible with a faithful discharge of duty. To receive the approbation of the good and honorable part of society has been and ever will be my ambition. If proofs had ever been advanced that my opinions and conduct were improper, and communicated without rancour, I should have considered myself much indebted to the man who would have convinced me of my mistake in a proper or friendly manner; but on the contrary, scurrility and abuse, clothed

* The Lady Nelson sailed on this mission on 24th February, 1806.

† It has been alleged that, notwithstanding his kind treatment at Sydney, Tip-a-he was the moving spirit in the massacre of the crew of the Boyd. His fellow countrymen deny that he had any share in the matter, and the Reverend S. Marsden acquitted him of any complicity. He, with a number of his tribe were shot, in reprisal, by a party of whalers.

with darkness and assassination, have served instead of argument. My friends I therefore hope will not have a worse opinion of me for thinking such treatment beneath my resentment and unworthy of a reply.

1806

Newcastle.

WHEN the Coal River was first settled it was with the view of turning the coal to advantage by sending it round here in the small vessels, for which purpose miners, &c., were sent, as it was expected the vessels going to China would ballast with it. This was done by one or two vessels, but the success of the speculation not encouraging them to take a greater quantity, and as the person I had put in command at that place had not conducted it so well as might have been done, and having no other person to place there, I was obliged to withdraw that settlement altogether.

The original settlement of Newcastle

Having received the Secretary of State's direction in ———, * pointing out that place as an eligible situation for the most turbulent and refractory characters to be kept at the coal works, after the insurrection in March, 1804, was suppressed, I turned my attention towards re-settling that place for the reception of desperate characters, but found some difficulty in fixing on a person to conduct it. Previous to the Calcutta's departure Lieutenant Menzies, of the Marines on board that ship, made an offer of his services, with his commander's leave, when, after consulting, the business was closed and a Colonial appointment was given to Mr. Menzies to command and superintend that settlement, which was soon after named by that gentleman King's Town. The district I had previously named Newcastle, and the county, Northumberland, these names having some analogy to those places in England. Lieutenant Menzies was appointed to act as a magistrate in that district. As much inconvenience would attend the convicts being allowed to work in what is called their own time for the individuals who went there for cedar and coals, that settlement was made in some measure immediately productive by the convicts collecting those articles which were disposed of to those who went for them, whereby they only required men to navigate the vessels, and the communication between the convicts at Newcastle and Sydney [was] greatly cut off thereby.

The second settlement.

Origin of names.

Labouring for the Crown.

The prices charged were — per foot of cedar, and — per ton for coals, which was carried against the proprietors as a store debt. †

Of the Irish convicts sent to this place there were some equal to any act of depravity. The greater part were sent from Ireland for murders during the rebellion and were the most active persons in the insurrection here in March, 1804.

The Irish convicts.

* Blank in the manuscript. The letter referred to was doubtless that of 24th February, 1803 (vol. v, p. 44), in which Lord Hobart directed King that incorrigible convicts who scorned reward and braved displeasure should, instead of being sent to Norfolk Island, be sent to labour at the coal-mines.

† See the list of dues and fees, vol. v, p. 364.

1806 To guard those desperate characters, Lieutenant Menzies took only ——* soldiers of the New South Wales Corps and one Royal Marine belonging to the Buffalo.

Lieutenant
Menzies.

Escapes.

From every account I have received there is much cause to be satisfied with Mr. Menzies,† who is certainly obliged to have recourse to severe measures with such a description of people as he is surrounded by. One desperado has thrice left the settlement and has as often been returned and punished. Several others have found means to find their way by land, arriving at Broken Bay naked and starving.

Menzies and
the military.

I have no doubt Mr. Menzies would have done well but from his desire to have his party encreased, and an officer to command in his absence. That officer, according to the tour of duty, certainly is and was a madman, having given the greatest proofs of his eccentricities—not to give them a worse name. His conduct to the commanding officer of the Corps was so improper that he was obliged to name another to relieve him; but before it could take place [he committed] such violent acts as obliged Mr. Menzies to send him under an arrest under several charges, the principal of which was for mutiny.

A dispute
with the
command-
ing officer.

Soon after Mr. Cressey went to Newcastle an altercation took place between Mr. Menzies and the commanding officer of the Corps,‡ consequent on the latter's [? former's] refusing to send a return to that officer, conceiving that such a return from him, as an officer not belonging to the Corps and having one marine under him, could only be made to the Governor. The commanding officer sent me these letters, but as it appeared to involve a question of military opinion I did not consider it incumbent on me to give any decision thereon.

ROBERT BROWN TO DR. SMITH.§

[Extracts.]

12 Jan.

Dear Sir, 9, Gerrard-street, Soho, 12th January, 1806.

* * * * *

Australian
botany.

Your labours in New Holland botany have very much facilitated my researches, and the materials still in your possession are doubtless of equal value.

There are, however, among the species already published, a few, which either from not having at all found them, or perhaps having

* The guard consisted of one sergeant and nine privates of the New South Wales Corps, and one private marine.

† Although King here speaks of Menzies as if he was commandant at Newcastle at the time of writing, it will be seen from the paragraph which follows that it was written after Menzies had retired (March, 1805).

‡ The commanding officer at the time was Brevet-Major George Johnston. According to King (vol. v, p. 603), the dispute arose because Menzies claimed to command the subaltern and detachment of soldiers stationed at Newcastle. Menzies's letter resigning his command will be found on p. 570, vol. v, followed by King's instructions to the subaltern who succeeded him.

§ Afterwards Sir James Edward Smith, one of the founders and the first President of the Linnæan Society.

observed them in different state only, I have not been able to satisfy myself about ; and which can only be elucidated by your original specimens. Such in particular are the greater part of the species of *Eucalyptus*, a most difficult and now very extensive genus. As soon as I am able to examine my collection and papers with that view, I shall take the liberty of requesting an inspection of such species as appear doubtful or to me unknown.

1606
12 Jan.

Our expedition, as you already know, has not been uniformly prosperous, for, besides the more common disasters attending such voyages, we have suffered very considerably from the crazy state of one vessel and the wreck of another. All my best specimens of the south coast, as well as a garden nearly filled with new and interesting species, perished in the Porpoise, and a second garden I have been obliged to leave behind at Port Jackson.

Brown's
labours in
Australia.

We have also to regret the unfinished state of the voyage, for little more than half of the intended survey has been completed, and the unexamined part of the coast (the west and north) would in all probability have afforded the greatest number of new species. Under such disadvantages we think ourselves tolerably fortunate in being able to bring Home about 3,000 species. What proportion of these is new it is at present difficult to say, but we hope at least one-third ; of new genera the number will be comparatively small. Mr. Bauer, whose abilities and industry you are well acquainted with, has made about 1,600 drawings, all of them accompanied by minute dissections. In what manner these will be given to the public—if, indeed, we should ever have it in our power to publish them—it is at present impossible to say.

The voyage
interrupted.

Bauer's
labours.

Since I received your letter I have undertaken the office of librarian, &c., of the Linnean Society—a situation which in some respects is more suitable to my inclinations than abilities.

* * * * *

Mr. Bauer [begs*] to offer his kindest remembrances to you ; and I beg to subscribe myself, &c.,

ROB'T BROWN.

GOVERNMENT AND GENERAL ORDER.

19th January, 1806.

19 Jan.

From the incitements used by different people to induce soldiers and seamen belonging to His Majesty's service and servants to contract debts they are unable to pay, and who have in two late instances committed frauds to gratify the avarice of retail vendors of spirits, the following extract from the General Order of the 27th of October, 1800, is repeated, of which every person throughout the territory and its dependencies is to take notice.†

Soldiers and
sailors
debts.

* * * * *

* Word blotted over.

† Here follows an extract from the Order referred to, which will be found in vol. iv, pp. 249, 250.

- 1806** For the reasons stated in the Commissary's notice of the 30
19 Jan. of November last, His Excellency is pleased to direct that whe
 — delivered into His Majesty's stores before the 1st of next Mar
The price of in payment of Government debts be received at nine shillings an
wheat. three pence per bushel at Hawkesbury, and ten shillings at Sydne
 and Parramatta. The wheat delivered for payment by those wh
 owe no Government debts, to continue at the same prices as last year
- Wheat from** For the further accommodation of the Hawkesbury settlers,
the Hawkes- boat is going round with bags and an overseer to collect the whea
bury. due to Government; and as an expence will attend the peopl
 who row the boat, a deduction is to be made on the wheat thu
 sent, when received into the Hawkesbury store, or on board an
 vessel, of one penny half-penny per bushel.
- Public** The Governor having caused as many threshers at public labour
threshers. as can be spared to be distributed among the settlers owing debt
 to Government, it is to be clearly understood that if they are no
 solely employed at that work, or that the settlers put the whea
 so threshed to any other purpose than paying their debts to
 Government, they will be liable to the penalties prescribed by the
 General Orders for hiring and employing people at Government
 labour without permission from the Governor, on conviction before
 a Bench of Magistrates, the penalty to go to the informer.
- The receipt of maize, wheat, and English barley into His
 Majesty's stores will continue until further orders.

GOVERNMENT AND GENERAL ORDER.

- 21 Jan.** 21st January, 1806.
- Retailing** SIMEON LORD, having for himself and those he is connected with
spirits. represented to the Governor by letter that "some who have had
 the indulgence of permits (for spirits) scarce had it home when
 they charged for it at the rate of twelve shillings a bottle," con
 trary to the General Order of the 1st of October, 1800,* viz. :—
- Regulating** "No greater price than twenty shillings per gallon for spirits is to
the price. be admitted in a civil or criminal prosecution, unless it shall
 appear that it cost that sum, or more, from the master of any ship
 in which case, no advance on the retail will be allowed of."
- Penalty for** And the Governor, having approved of the magistrates' direction
overcharge the overplus of fourteen shillings to be paid to David Dickinson
 Mann, with whom the spirits were bartered by the "printer of
 the *Sydney Gazette*," as named by Simeon Lord's information, it is
 hereby directed that in all future complaints of that nature, the
 person selling or bartering spirits for more than the price stated in
 the above Order, be compelled by the magistrates, on conviction, to
 repay the excess of twenty shillings per gallon to the party who
 received it by purchase or in barter. The person or persons offending
 herein will forfeit all indulgence of permits, &c, in future, as well
 as their licenses and recognizances, if licensed to retail spirits.

* See vol. iv, p. 221.

MEMORIAL OF LIEUTENANT MENZIES.*

1806

24th January, 1806.

24 Jan.

THE memorial of 1st Lieutenant C. Menzies,

Respectfully represents :—

That when the insurrection took place in New South Wales in March, 1804, it was deemed absolutely necessary by Governor King to form immediately a settlement for the reception of the most daring and troublesome United Irishmen; and it being represented to your memorialist that there was at that time no officer in the colony who His Excellency Governor King could intrust the command and superintendence of such a settlement to, he came forward and made an offer of his services, which were readily accepted of by His Excellency, and your memorialist was accordingly discharged for that service from His Majesty's ship *Calcutta*, on board of which ship he commanded a detachment of Royal Marines.†

The rebellion of 1804.

Menzies volunteers to command at Newcastle.

That a copy of a letter written to the Secretary of State by His Excellency, wherein he was recommended for a handsome remuneration, was sent to your memorialist, and he also received the enclosed letter respecting the salary previous to his taking upon himself the command of the settlement.

His salary.

But upon your memorialist representing to His Excellency the unavoidable expences which must occur from holding such a situation, that it would not be convenient to draw bills on his friends, and the length of time which must necessarily elapse before an answer could possibly be received respecting the salary, the Governor consented to allow him to receive five shillings a day as subsistence, to be afterwards deducted from the salary, and upon an express assurance that that sum could by no means interfere, or in any degree be considered as a full remuneration, as His Excellency had already expressed in the enclosed letter, but merely as subsistence in the intrim, as even the pay of the Assistant-Surgeon of the settlement under your memorialist's command exceeded that sum by two shillings and sixpence per diem.

Five shillings per diem as subsistence.

That your memorialist not only carried on the ordinary duties of the settlement, which was composed of all the most refractory and incorrigible convicts in the territory, but suggested the plan of the convicts being employed in working the extensive coal mines at Newcastle, likewise in procuring cedar, and disposing of these articles to individuals, which has, besides supplying Government consumption, defrayed the expences of the settlement he commanded and brought in a considerable revenue.

Menzies's arduous duties.

Your memorialist begs leave respectfully to refer you to His Excellency's dispatches for his conduct in that arduous command, and to the forward state of perfection the settlement was brought to, and how very advantageous it was to Government. He also

Result of his zeal.

* Addressed to E. Cooke, Esq., Under-Secretary of State.

† As is well known, the settlement referred to was founded at Newcastle.

1806

24 Jan.

Menzies's
losses.Asks for
same salary
as other
Com-
mandants.

begs leave to remark that by remaining in that colony in the commencement of the war,* he lost many excellent opportunities of preferment and prize-money, and has also been at a great expence, and sustained a severe loss of the greatest part of his baggage by the shipwreck of the Francis, Colonial vessel, in going into Hunter's River, and for which he has never received the smallest allowance.

Your memorialist, therefore, confidently hopes that his case will be taken into consideration, and as Commandants King and Bowen, who both held appointments in every respect similar to his in that country, have each been remunerated by an allowance of £250 per annum for their extra services, your memorialist presumes to hope, having received only five shillings a day as subsistence in the intrim, that you may be pleased to allow him, on account of the heavy expences and the loss he has sustained, the deficiency of £165, which, in addition to the sum received, would make it adequate to the remuneration of these two officers, having held the appointment from 15th March, 1804, to 25th March, 1805.†

And your memorialist, &c.

C. MENZIES.

GOVERNMENT AND GENERAL ORDER.

29 Jan.

29th January, 1806.

Payment of
debts due to
Crownto be
enforced by
Commissary.

NOTWITHSTANDING the indulgence extended by the General Orders of the 21st of December last, limiting the payment of debts due from individuals to the Crown to the 31st of next March, and by the General Order of the 19th instant, allowing an additional price for wheat turned into the stores in liquidation of such debts, it has been represented to His Excellency that several of the settlers are threshing out that grain, and disposing of it to individuals, without appropriating any part thereof in discharge of their Government debts; and however unwilling the Governor is to direct any coercive measures being used, yet, as such conduct cannot be passed over with impunity, and without subjecting the garrison and those victualled from the public stores to a very considerably reduced ration, that part of the General Order of the 21st of December, limiting the payment of those debts to the 31st of March, is hereby annulled; and the Commissary is directed to take the legal measures of enforcing payment from the settlers who have been so long indebted to the Crown for articles with which they have so liberally been furnished; and particularly from those who are known to be making away with their property.

* England declared war against France (Napoleon Bonaparte) on 18th May, 1803, two days after the Calcutta (in which Lieutenant Menzies sailed) arrived at Tenerife on her outward passage.

† This memorial had no effect, and Menzies, in August following, addressed Castlereagh's successor (Windham), confident that "by the present Administration, of which you form so illustrious a part, justice, although unseconded by interest, will never appeal in vain."



LIEUTENANT JOHN BOWEN, R.N

*(Photographed from a Painting in the possession of his daughter.
The Photograph lent by J. J. Shillinglaw, F.R.G.S.)*

JUDGE-ADVOCATE ATKINS TO GOVERNOR KING.

1806

Sydney, 29th January, 1806.

29 Jan.

RECEIVED your Excellency's letter respecting your authority for convening General Courts-Martial for the trial of such officers privates of the Royal Marines as it might be found necessary bringing before such Court in this colony.

Officers of
Marines and
Courts-
Martial.

In the conversation I had with your Excellency on that subject, was clearly of opinion that your Excellency, not possessing any authority from the Lords of the Admiralty, you could not with safety issue your warrant for that purpose. I am confirmed in that opinion from a circumstance that occurred during the American war, when it was found indispensably necessary to obtain an Act of Parliament to subject the marines to a General Court-Martial whose members were composed of officers of the line in conjunction with officers of their own corps.

Atkins's
opinion.

Another strong case in point occurred in this colony, where Major Ross, who commanded the marines, wished to bring two of his own officers to a General Court-Martial; but the then Governor, not having authority from the Lords of the Admiralty to issue his warrant for that purpose, it was laid aside, and one of those officers was under an arrest for nigh three years, and was afterwards tried in England.

Cases in
point.

These, sir, are my reasons for thinking that no officer or private of the Royal Marines can be tried here (in which opinion Major Johnston coincides), unless a power is vested in the Governor from the Lords of the Admiralty, authorizing him to convene such Court for that purpose.

Marines not
triable by
Courts-
Martial.

I have, &c.

R'D ATKINS, J.-A.

LIEUTENANT MENZIES TO UNDER-SECRETARY COOKE.

Sir.

London, 31st January, 1806.

31 Jan.

I was honored with your letter of the 27th inst., and respectfully beg leave to observe that Governor King never held it five shillings a day to me as a proper compensation for my services, as a proof of which I beg leave to enclose an exact copy of a letter (the original of which is in my possession)* that Governor King wrote me previous to my appointment as Lieutenant-Governor† of Hunter's River, by which you will perceive that he considered it as out of his power to fix the salary, and referred to the pleasure of His Majesty's Secretary of State.

Menzies's
salary.

With respect to the Governor's considering me as acting with a detachment, and not as a Lieutenant-Governor of a new settlement, permit me to enclose a copy‡ of my appointment by His

On the civil
list.

* The letter will be found on page 360, vol. v.
† Lieutenant Menzies was appointed "Commandant" not "Lieutenant-Governor."
‡ See this document—vol. v, p. 362.

1806

31 Jan.

Excellency to the latter situation, and to observe that, as a proof of my not having acted with a detachment, I was entirely considered in a civil capacity, and during the whole period that I commanded that settlement I never was allowed to assume the least shadow of military rank or command; on the contrary, a junior and inferior military officer was placed in command of the troops.

Menzies
criticises
King's
action.

I should be extremely sorry to throw any reflexions on the conduct of Governor King, but I cannot refrain from observing that he always held out to me a handsome remuneration, and that it appears he either had no intention of fulfilling these promises, or has withheld the necessary information from His Majesty's Secretary of State, which, in justice to an officer who never hesitated to sacrifice everything to the good of His Majesty's service, he ought not to have done.

* * * * *

I have, &c.,
CHAS. MENZIES.

SIR JOSEPH BANKS TO SECRETARY MARSDEN.

— Jan.

Sir,

Soho Square, January, 1806.

The collec-
tions of
Brown and
Bauer.

After a tedious delay which, thro' the unavoidable consequence of a severe fit of illness, has given me much mortification, I am at last able to fulfill my promise of giving you some account of the nature of the collections made by Messrs. Brown and Bauer in the course of the voyage of discovery, from which they have lately returned, and of suggesting such measures for the consideration of their Lordships as are most likely, in my opinion, to secure to the public the fruits of the labours of these very active and industrious travellers.

The labours
of Robert
Brown.

I shall begin with Mr. Brown who, though he profest himself when he engaged in the service of the public a botanist only, undertook, at the desire of his employers, to superintend the collection of seeds for the Royal Gardens at Kew, assisted by a gardener, who died during the voyage*; the collection of minerals, in which he was assisted by a Derbyshire miner† hir'd for that purpose; and also the orinthological and entomological departments, in all which matters, the gardener and the mineralogist were instructed to assist him.

Seeds sent
Home by
him.

During the course of the voyage Mr. Brown sent Home seeds occasionally, and he brought with him on his return a valuable collection from Van Dieman's Land. The produce of these now growing in the Royal Gardens does great credit to Mr. Brown's attention to that part of his duty, and indeed at this time constitutes a large portion of the newest ornaments of that extensive and possibly unparalleled collection.

* Peter Good. He died at Port Jackson on 11th June, 1803.

† John Allen.



Robert Brown

In the actual department of botany, which consists in collecting the vegetable produce of the earth and preparing dried specimens of every species of plant in such a manner as to ensure a perfect and critical examination of their natural structure and constituent parts, where they can, at leisure, be compared with books and specimens already deposited in collections at Home, he has been eminently successful.

1806
— Jan.
—
Extent of
Brown's
botanical
collections.

An exact account of the state of his collections cannot be given till the examination and comparison with books mentioned above, which employs his time at present, has been finished. In the meantime they consist, as far as he is able to judge, of the following particulars.

Species of
plants.

Specimens of Plants.					Species.
From the south coast of N.H.	...	...	...	...	700
From the east coast of N.H.	...	...	...	...	500
From the north coast of N.H.	...	...	...	...	500
From Port Jackson and its neighbourhood	...	...	...	...	1,000
From Van Dieman's Land ..	...	...	...	...	700
From Timor ...	...	...	...	...	200
Total Plants					3,600

Dried Skins of Birds.—About 150.
Quadrupeds.—Most of these have been damaged by insects or lost in the shipwreck of the Porpoise.
Insects.—One case.
Minerals.—Three boxes.

Miscel-
laneous.

The arrangement of these birds, insects, and minerals he wishes to transfer to persons more conversant in these branches of natural history than he considers himself to be. The plants, of which, according to the customs of botanists, he has brought home a number of duplicates of each individual species, he wishes himself to arrange and describe, if their Lordships shall be pleased to employ him in that duty.

Natural-
history
specimens.

Mr. Ferdinand Bauer and his brother,* who has the honor to be botanical painter to His Majesty at Kew, are nearly equal in abilities, and they are allowed to be the most skilful painters of natural history in the kingdom, and, in my poor opinion, are not equal'd in any part of Europe. Mr. F. Bauer was induced to undertake the voyage by the exceeding encouragement held out by their Lordships when the voyage was first plann'd. As a sample of Mr. F. Bauer's skill I have the honor to send with this a drawing made by him of a very curious and interesting plant found by our travellers at King George's Sound, on the west coast of New Holland.†

The brothers
Bauer.

In point of diligence Mr. Bauer has not been surpass'd by Mr. Brown. The quantity of scetches he has made during the voyage, and prepar'd in such a manner by references to a table of colors as to enable him to finish them at his leisure with perfect accuracy, is beyond what, I confess, I thought it possible to perform.

Ferdinand
Bauer's
diligence.

* Francis Bauer. † This drawing is not with the manuscript.

1806

— Jan.

A general enumeration of these scetches is annexed. A particular one cannot be given till Mr. Brown shall have examined each species, determined the names of such as are already known, and given proper names to such as are new:—

Bauer's sketches.

Scetches of plants made on the coasts of New Holland and New South Wales	1,541
Scetches of plants made on Norfolk Island	80
Scetches of plants made on Timor	60
Scetches of plants made at the Cape of Good Hope	89
Scetches of animals made on Norfolk Island	40
Scetches of animals made on New Holland and New South Wales...	263
Total scetches	2,073

The labour of arranging and describing his drawings.

To arrange and properly describe so large a collection of objects of natural history, and to finish the most interesting part only of the immense collection of scetches made by Mr. Bauer, cannot fail to be a work of considerable time*; but unless this is done the public cannot be put into possession of the valuable improvement which the science of natural history expects to derive from the liberal manner in which their Lordships were pleas'd to patronise the outfit of this expedition and to provide for the salaries of the persons employ'd to accompany it.

I beg leave humbly to suggest to their Lordships:—

Proposed salaries.

1st. That the salaries of Mr. Brown and Mr. Bauer be continued to these gentlemen for such time as their Lordships shall think proper, in the same manner as was done in the case of Mr. Hodges who accompanied Capt. Cook in his second and of Mr. Weber† who accompanied him in his third voyage of discovery.

Banks offers to supervise.

If this is done, and their Lordships shall choose to honor me with their commands to that effect, I will undertake to overlook and direct the progress of these gentlemen, to quicken them if they are dilatory, to assist them when it is in my power, and to report to their Lordships the progress made by each in his respective department once a year at least, or oftener if required so to do.

The British Museum.

2nd. If it should be, as will probably be the case, their Lordships' intention to order the collections finally to be deposited for public use in the national repository of the British Museum, that orders be given for them to send the collections of minerals, quadrupeds, birds and insects to be placed there immediately, and arranged by the officers of the service who are fully competent to do that business effectually.

* Banks estimated that the arrangement of the plants and the completion of the sketches would take about three years. The plants had been left by Brown and the sketches by Bauer at the house of Sir Joseph Banks; but the sketches, prior to the date of this letter, had been removed by the artist to his private house.

† William Hodges, R.A. (b., 1744; d., 1797), an English landscape painter who accompanied Captain Cook on his second voyage. John Weber, R.A. (b., 1752; d., 1793), with Cook on his last voyage. Weber (or Webber, as he afterwards called himself), was present at the massacre of Captain Cook. His drawing of that tragic scene was engraved by Byrne and Bartolozzi, and many copies are still extant.

3rd. That Mr. Brown be directed to select from among his specimens of plants a compleat apartment of one specimen at least of every species and keep them safe for their Lordships further orders, and that he do with as little delay as possible publish at his own expense a succinct account of all such plants as he shall think worthy to be communicated to the public. 1806
— Jan.
Brown to publish an account.

4th. That Mr. Bauer be directed to apply himself diligently to make finished drawings for the disposal of their Lordships of such plants or other objects of natural history of which he has made scetches during the voyage as shall be recommended to him by Mr. Brown or by me. Bauer to finish drawings.

5th. That it be recommended to Mr. Brown and Mr. Bauer to join together in publishing engravings and descriptions of the most interesting objects of natural history they have collected, in a handsome form, as a periodical work, there being every reason to hope such a work will, if conducted with prudence and economy, be a source of profit to these gentlemen as long as they are able to supply new subjects, either beautiful to the eye or interesting to science, and as such an undertaking may be at any time abandon'd whenever it shall appear by a decrease of its sale that the public ceases to take a proper interest in its continuation.* Periodic publications.

GOVERNOR KING TO SECRETARY MARSDEN. (King Papers.)

Sir,

22nd February, 1806.

22 Feb.

By the return of the Tellicherry, which arrived here the 15th instant, I have the honour to acknowledge the receipt of yours of the dates as p. margin,† and am much gratified in reporting that, owing to the great care and humanity of Mr. Cuzens,‡ commander of that ship, the prisoners under his charge arrived in general good health, except a few cases of scurvy, which will soon disappear, from the fresh diet and vegetable regimen they are under. The enclosed report will inform you of those who have died.§ Arrival of the Tellicherry.

However great the necessity must be of sending such characters as Dwyer and other four persons from Ireland to this settlement, yet I cannot but regret that they were sent without convictions, which I am apprehensive may not be attended with the most pleasant consequences to this colony, where more than half the present inhabitants are subordinate characters of the same description, and who perhaps only want the assistance and abilities of leaders to renew what has been so lately got under. As Dwyer and his companions are not liable to the restraint placed on prisoners sent here under the sentence of the law, they very justly considered themselves entitled to all the rights and immunities Irish rebels.
Prisoners not liable to restraint.

* No signature.

† The margin is blank. See, however, Marsden's letter to King, of 17th August, 1805, vol. v, p. 683. Alexander Marsden was Secretary to the Lord-Lieutenant of Ireland.

‡ In the account of the arrival of this vessel, published in the *Sydney Gazette* of 10th February, 1806, the Captain's name is spelt "Curzons."

§ Five male and one female prisoners died on the passage out.

1806

22 Feb.

Political
exiles as
settlers.

of free subjects ; but how far they may prove legal ones remains to be discovered by their future conduct. That no plea may be made by them of wanting the means to obtain their living by industry, and well knowing the capricious disposition of the Irish character, I have very clearly explained to them the footing they are on, and on their promises of being circumspect in their conduct and not giving cause for any complaint, I have allowed them to become settlers, with the encouragement generally given to free settlers sent from England. How far these indulgences will operate on their apparent turbulent dispositions time will show.

Mr. Surgeon
Connellan

Respecting Mr. Connellan,* I shall be happy to render every service in my power ; but as to placing him on the establishment of this colony, the numbers of medical gentlemen are provided for in England by the Parliamentary estimate, which I am commanded by H.M. Government not to exceed, as their commissions are signed by the King. Whether there is an actual vacancy or not in that department I cannot tell. Owing to some of the gentlemen being in England, and, as I hear, not intending to return, this may eventually occasion some vacancy, the chance of obtaining which I have offered to Mr. C., dependant on the approbation or rejection of H.M. Government, which he has accepted, and is appointed to act as surgeon of Norfolk Island until I receive directions on that head ; and any interference of yours with this arrangement on that behalf will be instrumental to that gentleman's success, whose letter to you on the subject I enclose.

to go to
Norfolk
Island.

I have also directed the Commiss'y-General to draw on you for the sum of two hundred pounds Irish, for the use of Mr. Connellan, whose receipts and voucher I have the honour to enclose.

No indents
of convicts.

No indents having been sent out with the Irish male convicts who came here in the Ann transport, which left Cork in 1800, I have to request that those indents may be forwarded by the earliest conveyance.†

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO EARL CAMDEN.

[Extracts.]

My Lord, Sydney, New South Wales, 22nd February, 1806.

King's letter
to Marsden.

I have the honor to enclose the copy of a dispatch‡ I received from Mr. Secretary Marsden by the Tellicherry transport, with my answer thereto, for your Lordship's inspection previous to the latter being sent.

* John Connellan came out as surgeon to the convicts on the Tellicherry, with strong recommendations from the Irish Government. King appointed him surgeon at Norfolk Island, and directed D'Arcy Wentworth to return to Sydney (24th February, 1806).

† This was by no means unusual. Hunter, in March, 1796 (vol. iii, p. 32), complained that none of the transports which had arrived with convicts from Ireland had brought any information as to the terms for which the prisoners had been transported. In June, 1797 (ib., p. 235), he complained that no official list had accompanied the Irish prisoners sent out in the Britannia, and asked the Secretary of State to furnish him with proper lists of all people who had been sent out to the colony from Ireland during the preceding five years.

‡ See this despatch, printed in vol. v, p. 693, and King's letter to Marsden, given above.

It is true that, since the late insurrection in March, 1804, there has been no seditious appearances of any consequence ; and, from the attention bestowed in circumventing any designs of this nature, we hope any attempt to repeat their wild schemes will be fully revented. Still, I cannot conceal from your Lordship that the arrival of the five United Irishmen,* who appear to have been considerable leaders in the late rebellion in Ireland, without any conviction, added to the number of the disaffected of that class here already, will call forth the utmost attention of the officers of this colony.

1806

22 Feb.

Tranquillity
of Irish con-
victs.

By the Tellicherry your Lordship will observe that 125 male and 35 female convicts from Ireland were landed here† in good health, several of whom have been distributed among the settlers.

Convicts by
the Telli-
cherry.

Being informed that Mr. James Thompson, assistant surgeon, now on leave in England, has no intention of returning to this colony, and not knowing what the event of the sentence passed on Mr. Savage, another of the assistant surgeons, may be, and there being a great want of the necessary medical gentlemen to do duty here, I have taken it upon me to appoint Mr. John Connellan, who has been so strongly recommended by the Irish Government, as stated in the enclosed copy of Mr. Secretary Marsden's letter, to act as surgeon at Norfolk Island until your Lordship's further commands are received thereon.

The medical
staff.

* * * * *

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO CAPTAIN PIPER.‡ (Norton Papers.)

Sir,

Sydney, 27th February, 1806.

27 Feb.

The Rev'd Mr. Marsden having represented to me the ill state of health he has laboured under for some time past, and the expectation he has formed of being benefitted by a voyage and the advice he may get in England, together with the length of time he has been from England requiring his presence for a few months to arrange his private concerns ; and as I am inclined to grant that gentleman's request, you will direct the Rev'd Mr. Fulton to return to this place by the first direct and convenient opportunity, to perform the Rev. Mr. Marsden's duties in these settlements during his intended absence.

Marsden's
leave of
absence.

I have, &c.,

PHILIP GIDLEY KING.

* See vol. v, p. 683, for names of these men. King having obtained their promises of good conduct, allowed them the privileges ordinarily granted to free settlers. They were suspected by Bligh of fomenting rebellion, and were tried before the Criminal Court—post, pp. 363, 364 and notes.

† Note by Governor King.—“ Also 6 children and 2 women, wives to the state prisoners, Byrn and Dwyer ; 5 male prisoners and 1 female died on the passage.”

‡ Captain Piper was Commandant at Norfolk Island.

1806

COMMISSARY'S NOTICE.

1st March, 1806.

1 Mar.

Potatoes in
lieu of
maize.

His Excellency has been pleased to direct that the prisoners at Government labour at Parramatta and Castle Hill be supplied with potatoes in lieu of their ration of maize until further orders, in the proportion of three pounds of potatoes for one pound of maize.

The Deputy Commissaries at Sydney and Parramatta are directed to receive good potatoes from those owing Government debts, at five shillings for one hundred-weight of 112 lbs.

Stealing flax
and hemp.

Several prisoners employed in the manufactory having been detected in purloining the flax and hemp-yarn, and selling it for the extortionate price of fifteen shillings a pound, in order to put a stop to this practice, the storekeepers and Deputy Commissaries at Sydney, Parramatta, and Hawkesbury are furnished with proportions of the said yarn to issue to such persons as the Governor or officers in command at those settlements may grant the indulgence of being supplied with proportions thereof, for their own use or to make shoes, at the rate of two shillings and sixpence a pound, on payment being previously made of wheat or maize into the stores they receive the yarn from.

The
brewery.

The brewery of beer at Parramatta is discontinued on the part of Government, and the buildings, brewing utensils, and cooperage rented to Thomas Rushton for the term of two years, he having entered into an engagement and agreement to supply the inhabitants with table beer at sixpence, and strong beer at one shilling sterling per gallon, and not to dispose of the beer so brewed to individuals for the purpose of monopolizing its sale by retail, but its distribution to be as general as possible.

By command of His Excellency,

J. PALMER,

Commissary.

[1st March, 1806.—Arndell to King. See Appendix A.]

CAPTAIN MACARTHUR TO GOVERNOR KING.*

2 Mar.

Sir,

Parramatta, 2nd March, 1806.

Macarthur's
grants in
the Cow
Pastures.

When I received my grants of land at the Cow Pastures, consequent on the Right Hon'ble Earl Camden's directions, your Excellency was pleased to signify, if a proposal were to be made for reclaiming the numerous herds of wild cattle on terms equitable and of evident advantage to Government, such a proposal might receive your approbation, and induce you to enter into a contract for the accomplishment of that object.

* King's observations on these proposals of Macarthur will be found under date 5th March, 1806, post, p. 26.

Having since very attentively reflected on the practicability of such an undertaking, I now do myself the honor to lay before you an enclosed proposal, and I trust it will appear to your Excellency both moderate and equitable, altho' doubtless it will admit of, and perhaps require, some modifications.

If the business be prosecuted upon anything like the plan I have proposed, you will observe, sir, that Government is to be exposed to no possible risk, and the only expence they can incur will be about £50 a year for the repair of casks, and £14 per ton for salt, one ton of which will cure eight or nine tons of beef. At present, it may be fairly assumed, the different wild herds do not contain less than 4,000 head of cattle. Amongst these it is probable there are 2,000 head of bulls. Of that number there must be 500 fit for immediate use, 500 that might be killed in a year, and 500 more in two years. These fifteen hundred head (the youngest 500 I calculate upon catching) averaging their weight so low as 600 weight each, would supply His Majesty's stores with 900,000 wts. of beef. To import that quantity from England it would cost £30,000, whereas this supply would occasion no other expence to Government than the purchase of salt and the repair of casks, both of which would not amount to £1,000.

1806

2 Mar.

Proposed
reclamation
of wild
cattle.

Government
to run no
risk.

Estimated
number of
wild cattle.

Advantages
of taming
the cattle.

Shoe
leather.

Macarthur's
calculations.

His margin
of profit.

This is in itself an object of great importance, but not to be compared with the almost incalculable benefits that must result from taming the wild cattle, and thereby furnishing such numbers, both for slaughter and labour, as will be quite sufficient in a few years to supply all the demands of these colonies.

Amongst other advantages, I am persuaded your Excellency will not think an abundant and cheap supply of shoe-leather to the colonists an inconsiderable one; but I will not trespass upon your Excellency's time by a detail of the many minor benefits that taming the part of the wild cattle that can be taken and killing the useless bulls will produce—they are many and obvious.

It may, perhaps, be necessary I should say a few words in explanation of the principle upon which I have founded my expectation of personal remuneration. I have calculated that the expence of providing bread for the numerous establishment the business will require, the amount of their wages, the expence of buildings, waggons, carts, cattle, harness, and other contingencies, will amount to more than the value of the hides, tallow, and offal. The surplus, therefore, whatever it may be, must be defrayed from the produce of the third of the young cattle. What remains will be my compensation; and, as your Excellency cannot fail to discover that the price of cattle must be greatly diminished by this plan being carried into effect, I respectfully hope you will not think I have set an improper value on my own labour. Indeed, I presume to think there is not another person in the colony, of character to be relied upon, who could execute the business so

1806

2 Mar.

Macarthur's
local
advantages.

much to the advantage of the Government as I have proposed to do it. On the other hand, I must candidly acknowledge that the thing is pregnant with benefit to me, from the circumstance of my establishment for raising fine-woolled sheep being, as it were, in the midst of the wild cattle, and on that account the contract for reclaiming them will create many facilities for the successful prosecution of that object.

I have, &c.,

JOHN MCARTHUR.

[Enclosure.]

PROPOSALS respectfully submitted by Mr. McArthur to His Excellency Governor King for taming such cows and young cattle in the wild herds at the Cow Pastures as it may be possible to catch, and for slaughtering and salting for the use of Government the grown bulls which are now, from their numbers, very detrimental to the increase of those herds.

Catching
and taming
cattle.

1st. Mr. McArthur would undertake to defray the expence of the men employed in catching and taming the cows and young cattle.

Delivering
them.

2nd. He would deliver the cows and young cattle three months after they were taken, either at Prospect Hill or Parramatta, as might be desired.

Salting beef.

3rd. All the bulls that he could kill he would salt, pack, and deliver, without any reservation or appropriation whatever of meat so salted, into His Majesty's stores at Parramatta, Government furnishing salt and casks, or any other mode of packing it. Mr. McArthur would defray any other expence.

Fresh beef
for men
employed.

4th. In return for the sacrifice of his time and the great expence he must incur, Mr. McArthur respectfully proposes that he be allowed to supply the men engaged in the different branches of catching, taming, slaughtering, salting, packing, carrying, and superintending, a sufficient quantity of the bulls' flesh for their own support on the spot, he engaging in honor not to suffer wilful waste, and to act as if the whole were his own property, to prevent embezzlement.

Macarthur's
profits.

5th. That he be allowed one-fourth of the calves under a year old, and one-third of the cattle exceeding that age that he may catch and tame, and the hides, tallow, and offal (that is to say, all but the four quarters) of the slaughtered bulls.

Extension of
the contract.

6th. The contract is to be binding and conclusive for the term of two years from the date of signing the agreement, and a further extension thereof to two years from the date of the first official dispatches wrote by the Governor to the Secretary of State for the Colonies, and sent by a direct conveyance to England. And on His Majesty's approving or disapproving the continuation of the said contract to Mr. McArthur beyond the term of two years as aforesaid, the said contract is to continue or cease on such

leasure being notified officially to the Governor or officer in command of the territory for the time being. And it is to be clearly understood that the said contract is to remain exclusive with Mr. McArthur for the time it remains in force. 1806
2 Mar.

7th. To have the labour of ten convicts assigned for that purpose during the period the contract remains in force, and as many more as may appear reasonable to the Governor or officer in command for the time being to allow ; but the number not to be less than ten. Convict labour.

8th. To give a return the first of each month of the number of males slaughtered, cows and young cattle taken, and such other observations on the state of those wild herds as it may be necessary for the Governor or officer in command for the time being to be informed of. Returns to be furnished.

JOHN MCARTHUR.

Added afterwards.—That it is to be clearly understood, as the agreement will be greatly to the advantage of the Crown as well as to Mr. McArthur, that the agreement to be drawn from these proposals is to be taken on both parts according to its literal and obvious meaning. An addendum.

CAPTAIN KENT TO SIR JOSEPH BANKS. (Banks Papers.)

28, South-street, Grosvenor Square,

Sir,

4th March, 1806.

4 Mar.

When the Earl of St. Vincent this morning made an offer of me to continue the examination and survey of the coast of New Holland and the adjacent islands, I had not the most distant idea of its interfering with the future prospects of my esteem'd friend, Captain Flinders, whose views I would at all times be happy to forward, were it in my power, instead of impeding. I thought the time of his exchange uncertain, and consider'd his wish to recommence his operations in that distant part of the world doubtful after all his misfortunes and suffering. If, however, it should turn out otherwise, and he should after a time be able to finish what he began, it will be a desirable object, now that His Majesty's settlements are improving and extending. The continuation of Flinders's survey.

I feel greatly interested in the prosperity of New South Wales, having been employ'd in its concerns more than twelve years, and in which period performed the most extensive voyages. Those voyages, I trust, have contributed greatly in bringing that beautiful country to its present flourishing state. Kent's Colonial services.

As my services are no longer required in that part of the world in the line of my profession, I should be happy in making myself useful in any other way, and would with pleasure accept an appointment at Sydney as an assistant to the Governor. My local knowledge, I presume, would be of use. In the present He asks for an appointment.

1806

4 Mar.

extended and extending state of the settlement, it is impossible for the Governor to attend to all the various concerns himself. The want of assistance has been ever spoke of, and the Governors heretofore have been under the necessity of requesting various officers to assist, and for such extra duty have made considerable allowances. Such an appointment as I here speak of, I am confident would be pleasing to Governor Bligh, having conversed with him upon the subject prior to his leaving town.

Should you, sir, think proper to serve me in this particular, I will feel greatly obliged.

I have, &c.,

W^M KENT.*

GOVERNOR KING TO EARL CAMDEN. (King Papers.)

[Extracts.]

5 Mar.

My Lord,

Sydney, 5th March, 1806.

* * * * *

Macarthur's
proposals re
wild cattle.

Alterations
in the
terms.

Objections
to the
proposals.

On the subject of the wild herds, which are now the exclusive property of the Crown, referring your Lordship to my former communications of the trials made to reclaim these cattle, I have the honor to inform your Lordship that Mr. McArthur having fixed his establishment in the centre of the country where those numerous herds have so long taken up their abode, he delivered me the signed proposals contained in the enclosures,† which I considered so far equitable as to incline me to give my concurrence thereto. But on Mr. McArthur reconsidering the circumstances, he made a farther proposal of the men he should be allowed for that purpose to salt the fresh meat for their support during the summer months, and stated the great difficulty that would occur in his furnishing the means of conveying the beef salted for Government to Parramatta, which is upwards of thirty miles from the place where the salting must be done. Respecting any of the beef being salted otherways than as stated in the proposals, i.e., for the exclusive use of Government, I had the most decided objections, because, with all his care, as he could not be always on the spot, the people he would necessarily employ to catch or kill the males and salt them would not be backwards in purloining half that which belonged to Government, which, when once allowed to be salted for any other purpose, would find its way to be sold through many different channels; and respecting the difficulty of carriage, I could have no objection myself to give a part of that assistance on behalf of Government; but as it is

* This letter was followed by one a week later, asking Banks (as no answer had been sent) if he would at least procure him a grant of land, as he intended to return to New South Wales. He referred to Banks as "the patron of that beautiful rising country." In an earlier letter, addressed to Windham, Kent set out his live stock in the colony as follows:—Horses, 4; mares, 8; cows and cow calves, 20; sheep, 800; bulls, 2; oxen, 8; of which he alleged he had, at great cost, himself imported into the colony 2 bulls, 3 cows, 1 mare, and 6 sheep (2 rams and 4 ewes). Banks's reply to Kent's reminder will be found under date 12th March, 1806, post, p. 31; cf. the letter of Mrs. Bligh to Banks of 14th January, 1808, post, p. 417.

† See Macarthur's letter to King, dated 2nd March, 1806, and its enclosure, ante, p. 22.

probable I may not remain long here, I declined entering into any engagement until the arrival of some person to relieve me, or that I might receive their Lordships' commands thereon. 1806
5 Mar.

* * * * *

From a late inspection, I am inclined to think Mr. McArthur's statement of 4,000 head is short of the real present number by at least 2,000. Respecting the eligibility of Mr. McArthur's plan, I shall consult with my successor, as the newspapers inform me that Captain Bligh, of the Navy, is on his way for that purpose. The number of cattle.

* * * * *

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

7th March, 1806.

7 Mar.

WHEREAS by the General Orders of May 25th, 1802,* His Excellency was pleased to grant to Andrew Thompson,† settler and constable at the Green Hills, Hawkesbury, a lease for constructing a floating bridge over the South Creek to facilitate the communication between Sydney, Parramatta, and Hawkesbury, which has been of the greatest service to the settlers in that district and to the inhabitants in general, as specified in the said order: And whereas the tolls on the said bridge have not been sufficiently explicit under the different heads of persons, carriages, draught and stock cattle, and other stock, the Governor has judged it necessary, with the consent of the proprietor lessee, to make the following reductions and alterations in the tolls demandable on passing the said floating bridge:— A bridge over South Creek.

	Per annum.	
For each foot passenger, 4d., or	£1 10 0†	Tolls to be demanded.
Each horse, single or in draught, 2s. 6d., or	2 10 0	
Waggons or four-wheel carriages not taking more than half a ton lading, 1s. 6d., or	1 10 0	
Each cart or carriage with two wheels, loaded or not, 1s. 6d., or	1 10 0	
For each head of cattle, whether in draught or not, 1s. 6d., or	1 10 0	
Each sheep under a score, 2d.		
Ditto by the score, 2s. 6d., or	2 10 0	
Swine or goats the same as sheep.		

It is to be understood that for the above toll, passengers, horses, carts, or carriages are to pass and repass once in the same day on the same ticket.

The after regulation of the Order of May 25th, 1802, respecting keeping the bridge in repair, individuals, &c., passing the bridge on Government service in the actual execution of public duty, and the penalties prescribed by that Order, do remain in force. A previous Order.

* See vol. iv, p. 771.

† Governor Bligh placed this man in charge of his (Bligh's) farm at the Hawkesbury. See 26th March, 1807, post, p. 262 and note.

‡ An error; should be 10s. See erratum at end of General Order of 15th March, 1806, post, p. 48.

1806

GOVERNMENT AND GENERAL ORDER.*

8 Mar.

8th March, 1806.

Tickets-of-leave.

ALL the male and female prisoners who remain under the sentence of the law, and are indulged with permission to get their own maintenance, are to appear at the following places with their tickets-of-leave; and those who are not provided with tickets are also to appear to give an account of the ships they came in and where tried, in order that new tickets may be given to those who may appear deserving of a continuance of that indulgence.†

* * * * *

New tickets to be issued.

New tickets-of-leave, and of a different form, which will be notified in the *Gazette* of the 16th instant, will be delivered at the above respective settlements to those whose situation, conduct, and character may have rendered them deserving of that encouragement on Friday, the 21st instant.

Penalty for non-appearance.

Any prisoners under the sentence of the law who have been off the store on ticket-of-leave or any kind of permission (except those indented or off the store with individuals), who do not appear as above, will, on conviction before a Bench of Magistrates, be sentenced three years to hard labour in the gaol-gang, or be sent to public labour at some of the new settlements.

Harbouring absentees.

Persons of any and all descriptions harbouring such prisoners under sentence of the law without compelling them to comply with the tenor of the above Order, will be subject, on conviction, to the penalties directed by former Orders for employing prisoners at Government labour and concealing them.

Informers to be rewarded.

Any person giving information of prisoners under sentence of the law being so concealed, employed, or retained, will, on conviction before a Bench of Magistrates, receive a reward equal to £5 sterling from the Gaol Fund for each prisoner, who may also inform against themselves and their employers, in which case they will be pardoned and obtain the above reward on conviction of the employer or retainer.

Enforcing the Order.

And as the security of public and private property depends so much on this Order being duly complied with, His Excellency requires the assistance of all magistrates, officers, freemen, and others in carrying this Order into execution, by not employing and by bringing forward any of the above description who are not provided with the necessary ticket.

* See, on the subject of this General Order, the subsequent one of 15th March, 1806, post, p. 47.

† Here follows a statement of the times and places at which the musters were to be held in the various parts of the colony, identical with that published in the *Sydney Gazette* of 9th March, 1806.

CAPTAIN FLINDERS TO GENERAL DE CAEN.* (Banks Papers.) 1806

Wilhems Plains, Isle of France,

General,

9th March, 1806.

9 Mar.

The long delay of the Government of France in sending out orders relating to me, and the appearances that amidst the great occupations of the Ministers my situation may be forgotten, induce me to address your Excellency upon the subject of my long-continued imprisonment.

Flinders's long imprisonment.

Since the period when I was certainly informed that the decision of my case was referred to the Government of France by your Excellency, I have waited quietly, though most anxiously, for the arrival of orders that should decide my fate. I have seen vessels repeatedly arrive, and, lately, officers charged with official dispatches; but these arrivals, instead of producing any change in my condition, only serve to throw further back, and almost to destroy all hope of my situation being at this distance any longer remembered. Under these circumstances, I trust your Excellency will consider how severely hard my case has been, and how much longer my imprisonment may continue, unless you shall at length be pleased to grant my request to be sent to France.

His repeated disappointments.

The intention with which I came to this colony may have been misunderstood; but I can lay my hand on my heart and aver that I designed no injury to any nation, or Government, or individual. My objects were solely to relieve the pressing necessities of my situation, and to acquire a knowledge of what means the Isle of France afforded me in aid of my future projects for the advancement of geographical and nautical knowledge, and for the benefit of those nations of miserable savages I proposed hereafter to visit. If, unfortunately, the French Government should be deceived by any appearances to the contrary, and pronounce judgment against me, I must suffer the penalty of their awards; but do not, sir, in anticipation of this judgment, deprive me of the best years of my life, ruin my hopes of advancement, and of acquiring reputation by my labours—do not keep me to an unlimited time from my family, who for years have been looking for my return to arrange their affairs, and to console them for the loss of a father! Think only, General, that it is possible my intentions might have been innocent, as I have averred. What I have already suffered will then excite your regret. You will hasten to send me where, if I am found innocent, a few days would be sufficient to restore me to my family and the continuance of my peaceful employment; and, if guilty, where a speedy punishment would at least put an end to the anxiety and suspense, the expectations and disappointments, with which my mind has been tortured for the last twenty-seven months.

He protests his innocence of any hostile designs,

and prays the General to send him to France.

* Doubtless this is the letter to which Flinders referred in his *Voyage to Terra Australis*, vol. ii, p. 441. He tells us that it only produced a verbal reply to the effect that nothing could be done until the orders of the French Government were received.

1806
9 Mar.
The torture
of suspense.

Justice speedily administered is an act of mercy even to guilty, but how much more to the innocent. If ever, in the less[ness] of prosperity, I thought slightly of this adage, experience within the last two years has most fully convinced of its truth and importance. I would not at this moment my most inveterate enemy should acquire the same conviction such a price.

A gleam of
hope.

The permission you granted me to leave the Maison Desperance has led me to think that your Excellency does not regard my unfortunate position in this island with indifference, and it gives me hope that to abridge the term of my suffering would give me pleasure. I do not, therefore, doubt but that you will comply with this my earnest request to be sent to France, even though it should be at the expence of making some change in your arrangements.

I have, &c.,

MATT'W FLINDELL

[9th March, 1806.—Arndell to King. See Appendix A.]

LIEUTENANT-GOVERNOR PATERSON TO GOVERNOR KING.
[Extracts.]

10 Mar.

The North
Esk.

A finer river
than the
South Esk.

Another
river.

* * * * *

In addition to the accounts I have forwarded your Excellency I have to communicate a further circumstance that presents favourable appearances to the interests of the settlement. A short time since a party fell in, about seven miles from the cataract, with what they conceived to be a new river, but on inspection has turned out to be the North Esk before it reaches this stupendous collection of rocks, beyond which it had not been seen. It proves in every respect a much finer river than the South Esk. I have had it surveyed as far as is laid down in the chart I have forwarded your Excellency* ; and I have the pleasure to add that the ground on its banks, extending on both sides to considerable plains without a tree, and in many places farther than the eye can reach, is stated by all who have seen it to be much superior, both for grazing and tillage, to the excellent ground on the South Esk which I did not think could have been passed. In a S.E. direction another river is seen to join it, on which appearances are stated to be equally favourable. I shall as soon as possible inspect these myself. As I at present see, the consequence of this ascertainment will prove of very considerable importance to the colony, as, exclusive of the valuable ground on the banks of the two rivers, almost the whole space they enclose is also of the first description. Your Excellency will see by the chart I have had the South Esk traced to its source.

* * * * *

W. PATERSON

* This chart is not with the MS.

SIR JOSEPH BANKS TO ———* (Banks Papers.)

1806

Sir,

Soho Square, 12th March, 1806.

12 Mar.

I did not postpone an answer to your letter from any indisposition towards you. I beg you may be assur'd that I wish of all things to have it in my power to obtain the object of your wishes, whatever it may be, not only on account of the high respect I feel for my old and good friend, Lord St. Vincent, but on account also of your character and services. The reason was that I have not yet ventur'd to present myself at the Office for the Colonies since it has been occupied by its new inhabitants, nor probably shall not till I have some good reason to give for intruding myself or till they manifest a wish to see me; to do otherwise might be very detrimental to my hopes of establishing with Mr. Windham the same sort of confidence in me as L'd Camden, L'd Castlereagh, and their predecessors have favor'd me with.

Banks's willingness to be of service.

His relations with the Colonial Office.

Rely upon it, my good sir, that whenever my communication with Government shall begin, your pretensions shall not want my support, and that in whatever direction I think the nail will drive I will not fail to push it.

I am, &c.,

JOS. BANKS.

CAPTAIN SHORT TO SECRETARY MARSDEN.†

[Extracts.]

H. M. ship Porpoise, at sea, off the Cape de Verd Islands,

Sir,

12th March, 1806.

The Justina, merchant ship, one of the convoy of His Majesty's ship under my command, going to part company for St. Helena, I think it my duty to send, for their Lordship's information, my proceedings with the convoy under my command since I parted with Sir Richard Strachan, which was on the 24th February at noon, in latitude of 32° 7' north, and longitude of 18° 29' west, having seen Madeira the day before. When I parted with Sir Richard the wind was at N.E. and a good breeze. I therefore acquainted Captain Bligh, by hailing the Sinclair, being fearful of losing any way whilst the wind was fair, that I had parted company with Sir Richard Strachan and the West India convoy, and requested the course I was to steer, saying I would wait on him to-morrow. He in return directed me to steer S.W. by S., which I did, but at 3 p.m. a frigate came down from Sir Richard Strachan saying it was the Admiral's advice to me to steer S.W. to W. untill I had reached the latitude of the Canary Islands. I immediately altered the course and hailed Captain Bligh, acquainting him of the orders I had received, saying as that was

The Justina parting company.

Short asks Bligh for orders.

Course altered by the Admiral.

* This letter appears to have been intended for Captain Kent, in answer to his letter of 4th March, 1806, ante, p. 25.

† See also Short to Bligh, 15th May, 1806, post, p. 74; Bligh to Marsden, 30th May, 1806, post, p. 81, and 12th December, 1806, post, pp. 208 to 221; and Bligh to Castlereagh, 1st April, 1806, post, p. 55.

1806
12 Mar. the course of the West India convoy I should keep company with them for our protection untill we had reached the lattitude of the Canary's, always keeping two or three miles on their beam so as to be able to see the body of that convoy at night, and to prevent the two convoy's mixing. His answer was to "do as you think proper." I, of course, kept in that situation with my convoy untill noon of the 27th, when finding myself in lattitude of $27^{\circ} 59' N.$, and longitude of $22^{\circ} 8'$ west, and having opened my secret letter from their Lordships containing their order dated the 15th of November, 1805, also those sent on board by Captain Bligh, dated at St. Helen's 15th of November, 1805, directed not to be opened until I parted from the West India convoy, I sent him a copy of their Lordships' secret orders, dated 15th of November, 1805, inclosed in my letter, by an officer. At the same time I made the signal for all masters of merchant ships, in order to gain from the transports with convicts on board—viz., the Fortune and Alexander—an account of the number of weeks' water they had on board, also to recommend care as far as was consistent with the health of the convicts in the expenditure, which I also inclose. My reason for not waiting on Captain Bligh was, that as I considered myself, by their Lordships' orders, commander of the convoy, subject to the directions of Captain Bligh as to the course and ports at which we touched, I looked on Captain Bligh as Governor of New South Wales going out in the Sinclair transport, under my convoy; but having strong grounds to suspect he considered himself commander of the convoy, although in the Sinclair, by the conduct of that ship towards this, and her having hailed the Fortune transport on the night of the 26th February, and given her orders, together with her having hoisted a pendant off the Lizard without my permission, and neglected to answer my signals since I parted from Sir Richard Strachan, my wish was to establish my authority, conceiving if any accident happened (independant of the course and ports), I was answerable for it. The messages that passed were carried by Lieutenant Putland of this ship (a copy of his report I herewith inclose), but from Captain Bligh's last message, conceiving he was aware that I was the commander of the convoy, and to prevent any delay of service on my part, I went on board the Sinclair carrying the letter which I had wrote, when everything seemed to be amicably settled, and he gave me some signals which he had prepared for the convoy, and promised to send me some rough memorandums. In course of conversation he expressed his earnest wish to have Lieutenant Putland* (who is his son-in-law) on board the Sinclair as his aid-de-camp, and was vexed I had not granted that permission before. I told him I was then under a commanding officer's orders, and any request from him on

Short's
secret letter.

He signals
the captains
of trans-
ports.

Short sus-
pects Bligh.

An amicable
meeting.

Bligh's
son-in-law.

* Lieutenant Putland died of consumption on 4th January, 1808. Bligh alleged that he was the first whom Nelson elevated to the rank of lieutenant after the battle of the Nile.

at point I could not comply with without his approbation; but present I conceived myself commanding officer, and if he would write me a letter requesting Lieutenant Putland to be on board with him, as it was my wish to oblige him, I should take his letter to consideration, and if I thought myself justifiable, grant his request; but if so, I should insist on Lieutenant Putland coming on board the Porpoise once or twice in the week to do his duty; but that was my surprize, in room of his letter of request as promised, I receive his letter inclosing the order from him dated on board his ship the 28th of February. Had I complied with this I must have acknowledged him as justified in giving me orders otherwise than as directed by their Lordships, which I feared might be detrimental to His Majesty's service. I therefore sent him my letter of the 1st of March.

1806

12 Mar.

Bligh ask
for
Putland's
transfer.Short's
reply.

* * * * *

On Sunday, the 2nd of March, Captain Bligh came on board the Porpoise, and said, as it was the first time we were out of His Majesty's dominions, he came on board for the purpose of seeing his friends, and ordered me to read his commission. I told him that his commission had been once read on board this ship. He then insisted it should be read, and gave orders for the ship's company to be mustered, and that they might be turned aft for that purpose. I told him I conceived, by his giving orders, that he had returned from Admiralty leave, and desired the clerk to bring the muster book and return Captain Bligh from Admiralty leave; and that since he had taken the command of the ship, I considered he had also taken charge of the convoy from me, as I could not separate the one from the other, which I conceived directly contrary to their Lordships' orders of the 15th of November, 1805; as such I should retire to my cabin and consider myself a prisoner, hoping their Lordships' orders would acquit me in so doing. After I had been to my cabin, and Captain Bligh had given several orders, amongst which was to my clerk to return him on duty on board the Sinclair, and his servant, John Dunn, on duty with Captain Bligh (which same orders he gave my clerk on the 27th of November, 1805, when he read his commission at Spithead), and also to the master to mention his proceeding in the log-book. He afterwards sent the first lieutenant down to my cabin, saying he wished to speak to me. When I went on deck he gave me an order to take charge of the convoy (a copy of which is herewith inclosed). I told him I considered myself a prisoner, but for the good of the service, I would take charge of the convoy again. On my arrival at the Cape of Good Hope, I mean to lay the whole of my proceedings before the Commander-in-Chief and request an enquiry into my conduct, the report of which to their Lordships, I hope and trust, will not disgrace me in their opinion.

Bligh
assumes the
command.Attitude of
Short.He retires to
his cabin,but consents
to act.

* * * * *

1806

12 Mar.

Short not
actuated by
private
motives.

I beg to assure their Lordships that no personal motives actuated me towards Captain Bligh, but only what I conceived my duty as commander of the convoy, acting strictly to their Lordships' orders; for had private motives actuated me, their Lordships having granted me permission to take my family out in the ship when I had settled all my affairs in England, meaning to settle them at New South Wales, as such it was my interest to cultivate the good will of the officer who was to be Governor, and whose command I was to be under, and whose favor's might be of service to my children; but, as an officer, I felt and could not let my public duty give way to my private interest, and have only to add that having so far embarked it would be my ruin to recede, and to assure their Lordships while the convoy is under my orders every exertion shall be made for its protection and the good of His Majesty's service.

I have, &c.,

JOSEPH SHORT.

GOVERNOR KING TO EARL CAMDEN.*

[Extracts.]

15 Mar.

My Lord,

New South Wales, 15th March, 1806.

Previous
correspond-
ence.

As I have no direct or certain opportunity of writing to your Lordship since my general dispatches by His Majesty's ship Investigator, and the Ferret, South whaler, dated as per margin,† I cannot omit the present opportunity afforded by the Sydney.

The Van
Diemen's
Land
settlements.

By the last accounts I had from Colonels Collins and Paterson of the state of their respective settlements, they write in very favorable terms of their prospects and exertions succeeding; but I am much concerned to transmit a copy of the latter's report‡ on the loss of so many of the breeding cows received from Calcutta by the Sydney. The death of such a number is not only lamentable on account of the great expence attending their acquirement, but the misfortune of that settlement not being so soon able to provide itself with animal food, as would have been the case if a greater part had survived the first winter. I have no reason to suppose they wanted either care or attention, and I therefore hope the remaining 250 will shortly replace the number that have been lost, as Colonel Paterson assures me they are all in excellent order. The breeding stock at Hobart Town have suffered no loss, and are thriving and multiplying as well and fast as can be expected. To the stock at Hobart Town a great addition has lately been made of 148 ewes belonging to Government and 265 belonging to settlers,

Loss of live
stock.

The live
stock at
Hobart.

* King was not aware, when he addressed this despatch to Camden, that Viscount Castlereagh had succeeded him on 10th July, 1805. Castlereagh resigned the seals of the Colonial and War Department on the 5th February, 1806, and was succeeded by the Right Honourable William Windham.

† By Investigator, dated 30th April, 1805—vol. v, pp. 506–614; by Ferret, dated 20th July, 1805—vol. v, p. 658.

‡ This report is not available. According to King's letter of 30th April, 1805 (vol. v, pp. 607, 608), 622 cows were landed at Port Dalrymple by the Sydney.

so 4 cows belonging to Government and two oxen to settlers, which were landed* from the Sydney, having survived the voyage from hence and Norfolk Island in that ship. It was unfortunate that the stock sent by the Buffalo did not reach Port Dalrymple, but no good opportunity of sending it shall be omitted.

1803

15 Mar.

In the recent communication with Hobart Town and Port Dalrymple, I am concerned to report that by the Sydney Lieutenant-Governor Collins sent a private marine who has been fifteen months under arrest, and had appealed to be tried by a General Court-Martial for mutiny, for which purpose he was brought here by an officer and party. The enclosure† on that subject to the Secretary of Admiralty will possess your Lordship of the insurmountable objection to the marine being tried by a General Court-Martial formed by officers of the line, or, indeed, by marine officers, even were there a sufficient number. If the power for assembling such General Courts-Martial was not delegated by the Admiralty to the Governor or officer in command, I therefore respectfully suggest the necessity of such an authority being sent here as soon as convenient.

A private marine applies for a Court-Martial.

No power to try him.

From Port Dalrymple three soldiers of the New South Wales Corps and a convict were sent by Colonel Paterson, on a charge of robbing His Majesty's stores at that place, who were tried by a Criminal Court, which passed sentence of death on them; but as some extenuating circumstances appeared in favor of two of the soldiers, I was induced to extend His Majesty's grace to them, on condition of one being transported for fourteen and the other for seven years. The third soldier was sent to be executed at Port Dalrymple, and the convict at the Derwent, which examples I hope will have a good effect, particularly at Port Dalrymple, where robberies of that nature have been so frequently committed by the soldiers.

Robbing the stores.

The Commandant at Norfolk Island writes in favorable terms of the appearance of last year's crop on that island, which has afforded such a seasonable supply of flour, grain, salt pork, and stock for the use of the new settlements, which would have been straitened much for provisions (as events have arisen) but for this resource. In this place, it is necessary I should report what has been done in complying with my Lord Hobart's directions to remove a part of the civil and military establishments of Norfolk Island to Port Dalrymple, or any of the new settlements, agreeable to His Lordship's command, dated June 24th, 1803,‡ received by me in April, 1804.

Norfolk Island.

In my separate letter, No. 4, by the Lady Barlow, I communicated the great backwardness of the settlers in giving their names to remove from Norfolk Island to Port Dalrymple, and the dislike they had expressed at being removed before their crops were ripe;

* Those put on board were: Ewes belonging to Government, 200; ewes belonging to settlers, 300; cows belonging to Government, 4; oxen belonging to settlers, 2.

† Not available. See, however, Atkins to King, 29th January, 1806, ante, p. 15, to which I am probably referring.

‡ See vol. v, p. 157.

- 1806 therefore, to meet their wishes, I deferred sending a vessel to remove
 15 Mar. any until March, 1805, when the Investigator was sent to take as
 — many as chose to avail themselves of that opportunity, and ordered
 Settlers unwilling to all the military, except thirty privates, and a great proportion of
 remove from the island. the convicts, to be brought from thence. On the Investigator's
 Eight settlers only return I found that only eight settlers and their families had availed
 quit the island. themselves of that opportunity, and from the Commandant I
 learned the reluctance that most of the others had expressed to leave
 Norfolk Island, where they had been so long and so comfortably
 settled. As I had some hopes that several of them would have
 removed when the Buffalo and Sydney went there, every prepara-
 tion was made and the necessary directions given, but none chose
 to go unless they were compelled; and as that measure did not
 appear to me meant by my Lord Hobart's instruction on that head,
 I have used no compulsory measures towards their being removed,
 but have reduced the military to twenty-five privates, and left but
 very few convicts whose terms of transportation are not expired.
- * * * * *
- Proposals for a small establish- In my letter No. 2, dated 30th April, 1805,* sent by the Lady
 ment for salting pork. Barlow, I had the honor of submitting a few observations respect-
 ing a small establishment being retained on the island for the
 purpose of affording supplies to our whalers, and salting pork for
 the use of the other settlements, which I understood to be my Lord
 Hobart's intentions in his dispatch of June 24th, 1803†; but
 The question of further reductions. should it be deemed necessary to make any further reduction of
 the inhabitants and present establishment of that island, a return
 of which I have the honor to enclose from the Commandant's
 last reports, I respectfully beg to observe that, as the settlers are
 in possession of *bonâ fide* grants, compelling them to leave their
 lands and property might produce some inconveniences, I humbly
 conceive that the Governor should be furnished with positive
 directions on that subject. How far the benefit derived by the
 occasional overplus grain, the pork that is salted, and the refresh-
 ment the island affords to the whalers and the Company's China
 ships hereafter going the eastern passage to China, may operate with
 your Lordship in any future resolutions respecting the disposal of
 that island, I respectfully submit to your Lordship's wisdom.
- Norfolk Island first settled. In this place, I must respectfully beg to offer such other short
 observations as your Lordship may not be informed of. That
 island was first settled in 1788, with the administration of which
 I was honored by my respected friend Govenor Phillip, and when
 I inform your Lordship that from the want of supplies arriving
 in this country, owing to the loss of the Guardian in 1789, half
 the military establishment, and inhabitants of this settlement,

* King's memory was at fault. The Lady Barlow sailed for England on 21st January, 1805. The letter of 30th April, 1805, to which he alludes, was sent by H.M.S. Investigator. It will be found on p. 599 of vol. v.

† Vol. v, p. 157.

were sent to Norfolk Island, where they found, if not an abundance for so great an increase of numbers, yet a sufficiency of food to subsist them, thereby leaving a greater quantity of provisions for those who remained at this place. The successful exertions that were used rendered Norfolk Island independent of this colony for grain in 1793, and after the beginning of 1794, it required no further importation of animal food—but on the contrary has since that period afforded great supplies to this settlement, and has, so lately as last December, supplied the new settlements (where there are 780 full rations victualled) with six months' provisions, which could not be spared from the store at this place; and perhaps future supplies may be equally acceptable as the late one has been. Experience has fully proved, that Norfolk Island is fully equal to maintain at least 6,000 souls. I have already stated, and indeed repeated, its advantages in affording the most ample refreshment for our whalers, and if the East India Company should continue to send their China-men by the eastern passage, as was the case by the Athenienne's convoy, and recommended by me in 1794, the benefits of the refreshments it would give to the seamen navigating that valuable concern of the British Empire would be of the utmost consequence. It is true that the disadvantage of its want of an anchorage, or good landing at all times, is of the greatest inconvenience; but when it is recollected that no ship ever met with an accident since the unfortunate loss of the Sirius in 1789, much of its terrors may be lessened, even in the idea of those who have not had an opportunity of judging for themselves. I am far from wishing to urge the necessity of its being put on its former establishment, but I respectfully conceive the present small establishment would be necessary for the government of the settlers, who I learn are determined not to remove without compulsion.

1806

15 Mar.

Food supplies raised.

The Island capable of maintaining 6,000 souls.

Its drawbacks.

* * * * *

A month after the muster (of August, 1805) it was discovered that the eggs of a most destructive insect* had been deposited in the wheat grown last year before it was stacked, and on opening them in September, they were found to have hatched an insect called here, and I believe in Europe, the "fly-moth," which had destroyed, at least, a third of the last year's wheat. Still sufficient appeared to remain until the harvest was got in in December; but these hopes were of short duration. In October it was found that the wheat when in blossom had in some districts suffered very much by the blights and lightning, and where the grain was formed much smut and rust were found. These losses and appearances rendered it necessary to have recourse to the reserve of government stacks, and to meet any accident I employed every man at government labour to plant 250 acres of maize.

The fly-moth.

Losses of wheat.

In this place it is necessary to observe that, among other causes of the wheat failure, the want of a change of seed and the careless

Failure of the wheat harvest.

* See vol. v, p. 715.

- 1806** manner in which many of the settlers prepare and sow their grounds are not the least, as a very few, indeed scarce any, of our cultivators have the least notion of a regular system of agriculture beyond what the customs and observances of the oldest settler affords the others. However, as cattle and ploughs increase, the latter cause will be greatly removed, and I am much gratified in saying the plough is now getting into general practice by the real industrious ; and it is to be hoped that the exchange of wheat seed, which may be made with the new settlements under the exertion of one or two individuals in detaining a change from a small quantity of red lammas sent an officer in a letter from England, will in time remedy that want. Much dependance has ever been placed on wheat for the support of the colony, and that dependance on the fertility of the soil has been confined to the settlements in and about the Hawkesbury, whereby much of the forest land, which is so far from floods, has in some measure been neglected. It is not my intention to discourage the growth of that valuable grain, but I do not think it safe for the settlement to rely wholly on wheat for the general support of every class of the inhabitants.
- 15 Mar.** It is soon destroyed in the field by the blight, rust, smut, and caterpillar, also in this climate by fire both in harvest and in the stack, and by weavils and corn moths when in the granary, added to which, when the wheat is continually sowed on the same land, it impoverishes it so much that if the crop is not destroyed by any of the above common evils, the produce will be small and by no means equal to the expence of raising it, as the same labor and expence must be used on worn-out lands that will not produce more than 6 bushels of wheat an acre as upon land that will produce 24. Though the cultivation of wheat should not be neglected when it can be raised without private or public loss, I am also of opinion that the period is not far distant when maize must be more generally used than it is at present, because wheat cannot be raised for the general support of the settlement by those at present employed in agriculture, as that description are now become few, or none, compared with what they were before the present great increase and acquirement of stock, which will require a continual drain on the agricultural labourer as the stock increases ; for, supposing the increase of sheep during the present year to be 8,000, this addition will require forty men. Black cattle and horses will also require the care of additional hands in proportion to their increase.
- Improvement in agriculture.**
- Dependence on wheat.**
- A precarious support.**
- Wheat exhausts the ground.**
- Wisdom of cultivating maize.**
- Advice to settlers.**
- Under all these considerations, it would be necessary to repeat the frequent advice which has been given the settlers to put a greater value on maize and cultivating the high lands that will admit thereof. That grain, altho' not so grateful food as wheat, still it is wholesome and nourishing. It takes but little extraordinary preparation of the ground for planting and requires little seed. As these and many more incentives have been used to

courage a more general growth of maize, I trust it will be ended to by the individual cultivator more than it has hitherto an. Still, if that grain is not planted on lands out of the reach floods, it is always liable to loss from that cause. Unfortunately, the great part of that planted by individuals on the low ground was flooded in February, and more than 6,000 bushels of size lost. However, notwithstanding all these misfortunes to our late crops, still I hope the ensuing season will be favorable; and, if no accident happens to our crop of maize, we shall not want, and, to ensure a sufficiency, I have directed barley and potatoes to be received and issued as part of the ration.

1806
15 Mar.
—
Losses by
flood.

In continuation of my report of this survey, it is necessary I should advert to the situation of those settlers and cultivators who are so considerably increased by what are called free settlers from England, discharged soldiers, and some few who have been settled from prisoners whose term of transportation is expired, we are in great want of labourers for the necessary works of agriculture, which is owing to the following causes:—

Free
settler

The real settlers and other cultivators, among whom are officers, &c., who have procured by purchase more ground than they are able to occupy, have let portions of it to prisoners who have served their terms of transportation, emancipated, or from good behaviour have been permitted to gain their own livelihood. By this means they have in a great measure themselves done away the laboring class, and what few remain charge high for their labour, and, notwithstanding the restrictions against those impositions, no attention is paid by the settlers to that necessary regulation whose want or caprice in general regulates the demand and payment. Whenever a complaint of that kind falls under the notice of a court of justice those demands are regulated according to the Order that has existed since March, 1797* (and has been often repeated). Notwithstanding the cautions that have been given the private cultivators, still they have procured the present inconvenience they labor under. Those settlers, &c., who have let portions of their land for the term of five years to clear have provided the laboring class with the means to raise a great superabundance of grain, which necessarily supersedes the requisition for a great part of what the settler does or ought to raise on his own grounds. This can only be considered as an inconvenience wrought on the individual cultivator by himself, as it is evidently for the good of the colony at large, by cultivating more ground than would otherwise be done, consequently lowering the price of grain, and placing its acquirement within everyone's reach. There is another material inconvenience that attends the idle settler, &c., the many instances of the industrious free servant, or tenant, working the proprietor off his farm, altho' this cannot by any means be considered a public loss, as the land must be more productive in

Leasing
lands to
expirees.

The labour
market.

Glutting the
grain
market.

The
individual's
loss—the
country's
gain.

* See the Government and General Order of 10th March, 1797, vol. iii, p. 197.

HISTORICAL RECORDS OF NEW SOUTH WALES.

the hands of an industrious than an idle proprietor ; to this may also be added the numbers necessarily employed taking care of stock. Another cause of the want of agricultural labourers is the number of free men who are employed by individuals in the seal and oil fisheries,* which, as a productive article of export, has received every encouragement that could be given ; and as long as grain can be raised for the consumption of the colony, there cannot, perhaps, be a more advantageous employment for the benefit of the inhabitants in general, as long as that object is confined to Englishmen and English vessels ; but, I am sorry to say, that if the most decided checks were not given to the introduction of Americans and American vessels any benefit this colony may possess would become the property of Americans at the expence of England. However these obvious circumstances may have deprived the settlers of that labour they could formerly procure in a more abundant way than they can at present, yet the introduction of ploughs and carts, with the advantage of having cattle from Government herds, has removed much of that inconvenience to the real industrious cultivator.

In taking the settlers muster, it appears that the breeding stock I caused to be distributed among the different description of those settlers whose industry and character are susceptible of that encouragement have been taken care of, and duly increased ; that their exertions in sowing wheat, notwithstanding the wet weather which prevailed at that season, has been evident ; and I did hope that a favourable harvest would have repaid their efforts, but it has unfortunately turned out otherwise.

* * * * *

The brewery leased to a private person. Being anxious to turn the public brewery to as good an account as possible in preventing thirst for spirits which is so prevalent in this colony, I found after a year's experience that Government was at a great loss and expence in carrying on that object, owing to the description of people it was necessary to employ. I therefore directed the Commissary to let it for two years, as stated in the enclosed agreement.† The rent to be paid in beer‡ for the use of the convicts at public labour is equivalent to the interest of the work done on the premises and the cost of the utensils in England, viz., £1,568 3s. And on the same principle of making a saving in the expence of maintaining the people to work the salt-pans at this place, I have directed a similar agreement to be made for carrying on that object, the rent of which being 3,640 lbs. of salt for Government purposes, which is equivalent to the interest of the expenses, viz., £533 10s. The salt-pans at Newcastle will still be worked on account of Government.

* * * * *

* *Note by Governor King.*—"In all its branches, at sea and on shore, the number employed is 280."
 † The agreement is not available. See the Commissary's notice, ante, p. 22.
 ‡ 200 gallons per month.

Respecting the stills, their increasing practice was known some time ago to myself and magistrates, but the detection was deferred until sufficient proof could be obtained, when several of those engines were destroyed and the workers and such proprietors as the facts could be proved on, were sent from the colony, agreeable to a Colonial regulation on that head. Where the mischief would have ended it is impossible to say if not prevented, as it was clear that the working and a great part of the property was carrying on and belonged to some of the most determined United Irishmen. The necessary measures that were taken I hope will prevent a repetition of these practices, at least for some time to come, for exclusive of every moral and political evil that would have resulted from its not being put a stop to, the means of the inhabitants' existence would have been greatly affected by the quantity of grain and sugar that it was known to be in contemplation to expend on those destructive objects.

1808
15 Mar.
Illicit stills

worked by
Irishmen.

* * * * *

A little before Christmas a small American vessel* loaded with spirits arrived from the Isle of France bound to India† with the old excuse of receiving repairs, water, &c., but in fact to dispose of his cargo. As the master produced a letter to Simeon Lord, a dealer here, who is the person so often alluded to in forming unlicensed connections with Americans, as this letter came from merchants of the Isle of France, I considered it my duty to inspect it, when I found it contained the subject of the inclosure‡; and on demanding to see the agreement alluded to, he refused it under the plea of having no copy. I informed my Lord Hobart§ of the French vessel L'Adele coming here from the Isle of France and the little encouragement given him to repeat his visit. I also transmitted a copy of my letter to the Governor of the Isle of France,|| intended to prevent the intercourse of French vessels to this port. A short time after the Adele's departure I had some imperfect information that an agreement had been made between Lord and the French, which I directed an officer to inquire into, and to signify my disapprobation of any such proceeding, the truth of which was denied; but the detection of the above letter convinced me that my information was correct. I have stated this circumstance to suggest the necessity of some decided instructions being sent as a guide to future occurrences of that kind. I am of opinion that the introduction of foreigners of any nation in this peculiar colony will be productive of the greatest inconvenience, exclusive of their draining these settlements of the money that ought to revert to His Majesty's subjects and not to his enemies or doubtful friends. And

An
American
vessel from
the Isle of
France.

The case of
the L'Adele.

The
admission of
foreigners.

* The Eliza Richards. She arrived on 20th December, 1805.

† According to the Shipping List published in the New South Wales Almanac, 1808, the vessel's ostensible destination was China.

‡ The enclosure is missing.

§ See King to Hobart, 7th August, 1803, vol. v, p. 199.

|| See this letter, ib., p. 178.

1806

15 Mar.

another consideration which I would humbly suggest is the certainty of its opening a communication with the Company's territories, which His Majesty's Instructions pointedly forbids.

Spirits
purchased
from the
American.

Averse as I ever have been to permit spirits, I very reluctantly consented to allow the American's spirits being landed, and that at a time when there was an apparent scarcity of grain before us but a consideration of the general good conduct of the inhabitants when I sent the vessel away that brought 15,000 gallons of spirit from the House of Campbell and Co., Calcutta, without permission, joined to the impolicy of withholding that indulgence at the time it came, and the necessity of purchasing 1,023* gallons to make up the deficiency of two years promis'd the military at Lieutenant-Governor Collins's establishment, and one year for that at Port Dalrymple, together with 1,000 gallons for the use of the Buffalo, I permitted the remainder to be disposed of in equal divisions to the officers, settlers, and merchant vessels in the harbour that needed proportions thereof, as stated in the General Orders.

* * * * *

The natives.

Referring to my recent communications respecting the behaviour of the natives, I have the pleasure to inform your Lordship that about these settlements we continue on the most amicable footing since their last misconduct, nor is there a doubt that the banishment of two of the principals to Norfolk Island, as stated in my former letter, has had a great effect, and occasions the present good understanding that prevails between them and the white men. But I am sorry to observe that a small private Colonial vessel laden with sealskins, was stranded in Twofold Bay, near the south part of this coast. The natives in great numbers surrounded the few men belonging to the vessel, commencing their attack by setting the grass on the surrounding ground on fire, and throwing spears which, according to report, rendered it necessary to fire on them when some of the natives were killed. However much the white men may be justified on the principle of self-defence, yet I have cause to think the natives have suffered some wrong from the worthless characters who are passing and repassing the different places on the coast, nor would they escape the punishment such conduct deserves if it could be proved.

An
encounter at
Twofold
Bay.

* * * * *

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

INHABITANTS ON NORFOLK ISLAND.

CIVIL and military, 46 ; settlers, 58 ; free men, 173 ; male convicts, 10 female convicts, 25 ; free women, 125 ; children, 303.

* In a duplicate copy of this letter, preserved by the descendants of the Governor, the amount appears as 1,238 gallons, and the amount for the use of the Buffalo as 1,302 gallons.

[Enclosure No. 2.]

1806

15 Mar.

PUBLIC Labour of Convicts, maintained by the Crown at Sydney, Parramatta, Hawkesbury, Toongabbee, and Castle Hill, from the 1st January to the 31st December, 1805.

Cultivation.—Gathering, husking, and shelling maize from 200 acres sowed last year—Breaking up ground, sowing and planting 120 acres of wheat, 100 acres of barley, 250 acres of maize, 14 acres of flax, and 3 acres of potatoes—Hoeing the above maize and threshing wheat. Agriculture.

Stock.—Taking care of Government stock, as herdsmen, watchmen, &c.

Buildings.—At Sydney: Building and constructing of stone a citadel, named Fort Phillip, being a sexagon with four embrasures on each face; building a stone house over the salt pans, dwelling-house to ditto, and a wharf; building and finished a brick dwelling-house for the Judge-Advocate, the old one being uninhabitable; building a commodious brick house for main guard, the old one pulling down, with officers' and serjeant's room detached, and the whole walled round; built a brick printing office, repairing storehouses, offices, and soldiers' barrack; carpenters assisting to cut down and finished the Investigator for service, with much other incidental work. Public buildings at Sydney;

At Parramatta: Carpenters making the necessary alterations at the brewery, framing two houses for Newcastle, finding roofs for Judge-Advocate's and guard-house at Sydney; erecting stone mill dams for the water mill; building a brick dwelling-house for the clergyman's residence; keeping storehouses in repair, barracks for officers and soldiers, and public buildings, with much other incidental work. at Parramatta;

At Hawkesbury: Completed the brick buildings for a public school.

Exclusive of the above, the jail, house of correction, with different offices for the manufactory of flax, hemp, and wool, with covered rope walks, all built of stone and enclosed with a high stone wall, are completed, being built at the private expense of the inhabitants of the colony, under the direction of a committee of officers. at the Hawkesbury.

Boat and Ship Builders.—Cutting off the upper works of the Investigator and fitting her for service; working on the repairs of His Majesty's vessels Buffalo and Lady Nel., on the Francis, Integrity, and Resource, Colonial vessels; built four rowing and long boats for the use of this and other settlements, keeping the old boats and punt in repair; squaring 5,571 solid feet of ship timber, and much other incidental work. Boat-building.

Wheel and Millwrights.—Making and repairing carts, timber and gun carriages, ploughs and harrows, and keeping the old ones and mills in repair. Wheelwrights.

Colonial Vessels.—Fixing the new settlement at Port Dalrymple; carrying supplies from hence and Norfolk Island thither and to Hobart Town on Van Dieman's Land; bringing grain from Hawkesbury, coals, cedar, and salt from Newcastle; carrying provisions to Parramatta, bringing down ship and other timber, and other incidental services. The Integrity sail'd the 29th June for Valparaiso, on the coast of Chili. Not returned. Employment of vessels.

Town and Gaol Gangs.—Repairing roads, loading and unloading boats, and much other labour, as the public duty requires.

Various Employments.—Respectively.

Manufactory.—Sawing, preparing, and manufacturing hemp, flax, and wool, from which the following quantities have been made, applied to public purposes, viz.: 3,732½ yds of druggit canvas, sacking, girthing, and linen; 2,201½ yds of blanketting, flannel, coarse cloth, and collar cloth, including the proportion returned to individuals for wool furnished; 4,647 fathoms of rope, log lines, and twine. Manufactures.

PHILIP GIDLEY KING.

1806
15 Mar.

[Enclosure No. 3.]
GENERAL STATEMENT of the Inhabitants of His Majesty's Settlement on the Eastern Coast of New South Wales,
on the 15th March, 1806, with an Estimate on the remains of Provisions in the Public Stores.

Settlement.	Civil Department Victualled.														Military Department Victualled.														Loyal Association, Sydney and Parramatta.					Total of Loyal Association Victualled.					
	Governor	Deputy Judge Advocate.	Commissary.	Principal Surgeon.	Depy Provost-Marshal and Secretary to the Governor.	Chaplain	Assistant Surgeon.	Surveyor of Lands.	Deputy Commissaries.	Mineralogist.	Boat Builder	Clerks to the Commissary.	Superintendents and Store-keepers.	Women of Civil Department.	Children of Civil above 10 years.	Children of Civil, above 2 years.	Children of Civil, under 2 years.	Total No. of Civil Department Victualled.	Major.	Captain.	Lieutenants.	Ensign	1 Adjutant, 1 Quartermaster, 1 Paymaster.	Surgeon.	Serjeants.	Drummers and Fifers.	Privates.	Women of Military Department.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Total of Military Department Victualled.	Captain.		Lieutenants.	Serjeants.	Drummers and Fifers.	Rank and File.	
Sydney ..	1	1	1	1	1	1	1	1	1	1	1	2	3	9	1	6	1	32	1	1	1	1	1	1	22	11	200	44	13	98	12	505	1	1	3	2	36	48	
Parramatta ..						1	1	1	1				6	6	2	7	25			1	1		2		2		70	11	4	37	0	130	1	1	2	2	28	30	
Hawkesbury ..							1						1			4		6							1		14	1		7	1	24							
Newcastle ..							1						1	1	1			3							1		15	1				17							
Total	1	1	1	1	1	1	4	1	1	1	1	2	16	15	18	3	4	66	1	3	2	2	2	2	20	13	200	67	17	148	22	635	2	2	5	4	64	78	

POPULATION.

45

1866
15 Mar.

GENERAL STATEMENT OF INHABITANTS OF HIS MAJESTY'S SETTLEMENT—continued.

Enclosure No. 2, J—continued.

Settlement.	Orphans Victualled from the Public Stores.		Number of Prisoners, &c., Victualled from the Public Stores.			Number of different Rations issued.				Total No. of Rations issued.	People not Victualled from the Public Stores.			Total number not Victualled.	Free Settlers not victualled.		Total number of souls in the Settlement	Week's Provision in the Stores at the established Stations.									
	Men	Women.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Total of Prisoners, &c., victualled.	Full	Two thirds.	Half		Quarter.	Men.	Women.		Children.	Men.		Women.	Total Settlers not victualled.	Sugar, and Molasses Sugar.	Wheat and Flour.	Pork.	Beef and Butcher.				
Sydney ..	60	340	51	38	3	11	444	732	207	107	24	1331	913	523	1,063	91	4	96	3,134	103	1,805	1,400	1,283	1,803	16 weeks 5½ days.	18 weeks 5½ days.	18 weeks 5½ days.
Parramatta ..	13	508	120	54	32	774	607	142	68	44	851	311	281	242	784	124	4	123	1,893	103	1,805	1,400	1,283	1,803	16 weeks 5½ days.	18 weeks 5½ days.	18 weeks 5½ days.
Hawkesbury ..	2	56	3	5	13	2	79	73	9	24	5	91	915	379	1,294	390	10	400	1,805	103	1,805	1,400	1,283	1,803	16 weeks 5½ days.	18 weeks 5½ days.	18 weeks 5½ days.
Newcastle ..	..	66	11	4	2	83	84	13	4	2	95	..	..	..	..	..	..	..	..	..	..	..	..	..	16 weeks 5½ days.	18 weeks 5½ days.	18 weeks 5½ days.
Total ..	85	1,030	185	44	74	1,390	1,586	371	233	73	1,972	1,830	1,030	1,144	4,043	606	18	623	6,885	103	1,805	1,400	1,283	1,803	16 weeks 5½ days.	18 weeks 5½ days.	18 weeks 5½ days.

Jno. PALMER, Commissary.

1806

CAPTAIN BLIGH TO VISCOUNT CASTLEREAGH.

15 Mar.

Lady Sinclair at Sea, 15th March, 1806.

My Lord, Lat'de 11° 13' north ; Long'de 24° 00' west.

Quarrel
between
Short and
Bligh.

I have the honor to inform your Lordship I am thus far on my voyage to fulfill the mission His Majesty has entrusted to my care ; but I regret to say that Captain Short, holding the command of the Porpoise while I am in this ship, has pursued such an irritating and vexatious conduct to me as Governor and his superior officer in naval rank, that I shall, so soon as I can draw up the documents, send them to your Lordship, and beseech you to remove him from under my command.

The ships
separate.

The whole should have appeared before your Lordship by this conveyance, but the Justina taking her departure suddenly for St. Helena, and myself suffering bad effects from the hot weather, I am deprived of accomplishing it, and to this effect I have written my Lords Commissioners of the Admiralty.

The remaining ships are the Alexander and Fortune,* with convicts, and the Elizabeth, a South Sea Whaler.

The naval
command.

The expectation I had of suddenly leaving England prevented my representing what will be found absolutely necessary in the naval department of the colony to prevent improper assumptions in subordinate persons, as likewise to punish great offenders.

Naval
officers inde-
pendent of
Governor.

The Government of the colony have no controul over the Navy Department, and let their excesses be what they may which they commit afloat, and which they are aware of, no law but the Articles of War can try them, and this cannot be done without a certain number of Navy captains being present to constitute a Court Martial, which cannot probably be the case for many years in New South Wales. As it is a station where a King's ship may remain for double the time of any other, it still adds to lessen the dread of behaving ill ; and as confinement or suspension may be of considerable duration before the cause of either can be legally tried under the existing Articles of War, and thereby subject the prosecutor to a loss of proof of the crime which has been committed, as well as the prisoner support in his defence, I beg leave, therefore, to ask for due authority how to act in such cases, to prevent litigation either on the one side or the other.

Bligh asks
for instruc-
tions.

I have, &c.,

W'M BLIGH.

CAPTAIN BLIGH TO SECRETARY MARSDEN.

Lady Sinclair at Sea, 15th March, 1806.

Sir,

Lat'de, 11° 13' north ; Long'de, 24° 00' west.

I have the honor to write to you, for the information of my Lords Commissioners of the Admiralty, that, in conformity to their Lordships directions of the 11th December last, I am wit

* The Alexander and the Fortune also left the convoy.

this ship and the Poipoise, together with the Fortune, Alexander, Elizabeth, and Justina, who joined us before we sailed, thus far on our intended voyage; but I regret to say that, owing to Captain Short, Commander of the Porpoise, having pursued an irritating and vexatious conduct since the time I first joined her at Spithead to this day, I shall be obliged to represent the same to their Lordships as soon as I can complete the documents necessary to that effect. I shall then beg leave to beseech their Lordships for as an immediate relief to the case as can be given, to the remote, but highly ostensible situation to which His Majesty has graciously placed me, as likewise to support my rank by the commission I hold from their Lordships' hands.

The Justina suddenly determining to leave the colony for St. Helena, on account of their sailing so ill, and myself feeling the bad effects of the hot weather, I hope will excuse me to their Lordships for not enlarging at this moment.

I have, &c.,

W^M BLIGH.

1806

15 Mar.

The quarrel
between
Bligh and
Short.

GOVERNMENT AND GENERAL ORDERS.

15th March, 1806.

THOSE male and female prisoners who remain under sentence of the law, and have been indulged with permission to get their own maintenance on tickets-of-leave, and who have not appeared according to the Order of the 8th instant,* will be put to Government labour if they do not give their names in on or before the 31st inst., when tickets-of-leave, according to the following form, will be given to those whom the Governor may consider deserving a continuance of that indulgence:—

Prisoners
holding
tickets-of-
leave.

"Prisoner's Ticket-of-leave."

"No.

The bearer
came in the
(or prisoner for life), has the Governor's permission to gain his livelihood by honest means; but if he demands extortionate pay for his labour or transgresses any of the Orders and rules of the colony, he will be recalled to Government labour, and such other punishment be inflicted on him as the case shall merit and as the magistrates may award, and of which all officers, settlers, cultivators, and every other individual is to take notice."

convicted at

time expires

180

Form of
ticket-of-
leave.

All the male and female prisoners under sentence of the law who are allowed and indented to any and all descriptions of individuals by whom they are maintained, are to appear and give an account of the ships they came in and where tried, &c., as follows."†

* * * * *

* Ante, p. 28.

† Here follows a statement of the times and places at which assigned servants in the various settlements were to give in their names, &c.

1806

15 Mar.

—
Masters to
attend at
musters.

Penalty for
non-attend-
ance of
prisoner.

Penalty for
harbouring
absentees.

Reward for
discovery of
absentees.

Expirees.

Erratum.

Individuals to whom the labour of the above description prisoners are assigned or allowed are required to attend with their servants at the respective places of muster, and to answer for those who cannot be spared from the care of their stock.

Any assigned prisoner off the store with individuals who do not appear as above, will, on conviction before a Bench of Magistrates be sentenced three years hard labour in the gaol gang and such other punishment as the case may deserve.

Persons of any and all descriptions harbouring such prisoner without compelling them to comply with the above order, will, on conviction before a Bench of Magistrates, be subject to the penalties for employing prisoners at government labour and concealing them.

Persons giving information of any of the above description of prisoners being concealed, employed, or retained, will, on conviction before a Bench of Magistrates, receive a reward equal to £5 sterling from the gaol fund for each prisoner, who may also inform against themselves and their employers, and on conviction of such employer or retainer the prisoner will be pardoned for that crime, obtain the above fine and gratuity, and be otherwise rewarded, as the case may merit.

Persons whose terms of transportation are expired, and who have not received a certificate thereof, are to attend at the secretary's office on Saturday, the 22nd instant.

Erratum.—In the General Orders that appeared in last week's *Gazette* (ante, p. 27), regulating the tolls demandable at Creek Bridge from foot passengers, for £1 10s. read only 10s. per annum.

CAPTAIN FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

Wilhem's Plains in the Isle of France,

20 Mar.

20th March, 1806.

Flinders
still a
prisoner.

It is not long since, Sir Joseph, that the officer arrived from France with despatches, by whom it was expected that orders would be sent out concerning me; and still more lately *La Canonniere*, a frigate, with the brother of General De Caen on board, charged also with despatches; but by neither of these occasions has the Minister of the French Marine sent out any orders, either for my liberation or for sending me to France although the Emperor Napoleon must have returned from Paris two or three months before her departure. In the supposition that the French Ministry were too much occupied with the present occurrences in Europe to bestow a thought on me here I wrote a letter to General De Caen, of which the enclosed is a copy.*

* See the letter of 9th March, 1806, ante, p. 29.

The answer returned was, "that he could make no change in my situation until he should receive orders ; that he had requested the Minister's instructions by every occasion, and would again press him upon the subject." My hopes of being released from this island seem now more distant than ever, and can only fix themselves with any confidence upon the period when peace shall take place. It is, however, possible that the National Institute, whom you, Sir Joseph, have so kindly moved in my favour, may have only waited for a favourable occasion of making their application with effect, and that orders may even arrive in two or three months. I am willing to entertain this hope, as an alleviation to the idea of spending this, the best part of my life, in inactivity, without promotion, and far from my family and friends.

1806

20 March.

No prospect of release.

If an order for my release should be obtained, it would be more certain to be received if a duplicate of it could be procured and sent out to the Naval Commander-in-Chief in India. From the month of April to December there are commonly some of our ships cruising off this island ; and it is very probable that the French ship which may be the bearer of dispatches on her being chased will throw them overboard. This may happen successively and be the cause of my detention being lengthened for at least a year ; but if the Commander-in-Chief was furnished with a copy, and ordered to transmit it to the Isle of France, it would come in by a flag of truce almost without any trouble. Doubtless the same order that shall occasion me to be set at liberty, or sent to France, will include my books, papers, charts, &c., of all of which a part is still kept from me.

A precarious correspondence.

I have learnt privately that in the dispatches with which I was charged by Governor King, and which were taken from me by the French General, a demand was made for troops to be sent out to Port Jackson for the purpose of annoying Spanish America in the event of another war, and that this is considered to be a breach of my passport. 'Tis pity that Governor King should have mentioned anything that could involve me in the event of a war, either with the French at Mauritius, or the Dutch at Timor or the Cape ; or that, having mentioned anything that related to war, he did not make me acquainted in a general way with the circumstance, in which case I should have thrown them overboard on learning that war was declared ; but as I was situated, having little apprehension of being made a prisoner, and no idea that the dispatches had any reference to war, since it was a time of peace when I left Port Jackson, I did not see the necessity of throwing them overboard at a hazard. To be the bearer of any dispatches in time of peace cannot be incorrect for a ship on discovery more than for any other ; but with a passport, and in time of war, it certainly is improper. I do not, however, presume to blame

An alleged breach of passport.

Flinders not to blame.

1806 Governor King. After a misfortune has happened we all see very well the proper steps that ought to have been taken to avoid it to be endued with a never-failing foresight is not within the power of man. I only request that he and all the friends of science would use their endeavours to remedy the misfortunes that have befallen me, and the produce of my voyage in consequence.

Flinders's
letters from
his wife.

In the letters that I received from Mrs. Flinders, at the same time that I was favoured with your letter of June 20, 1805, she speaks of coming out here to me. Since my detention, after continuing more than two years, now seems likely to be extended to the uncertain termination of the war—perhaps to ten years—have left it entirely to her determination to make the voyage or not, provided that she can be certain that no orders for my return to Europe have been given, and provided she meets with such an opportunity of conveyance as I have pointed out. May I request of you, Sir Joseph, to favour her with the information you may have from France, and your opinion upon her undertaking the voyage. No man can know better than you the difficulties of such a voyage for a woman, and your heart will tell you the distress and hardships of a separation without end of two young people so attached to each other as we are.

A Journal.

I have lately employed myself in writing a journal of all my transactions since the Investigator became incapable of prosecuting the voyage up to the present time. It will be finished in a month or two, and I then propose to transmit it to you, Sir Joseph, to be published with or without correction, to be delivered to the Admiralty, to be kept till my return, or to be burnt, as you shall think proper. In it will be contained all the information concerning our shipwreck, my voyage in the Cumberland and imprisonment here, which you will desire.

Flinders
harassed
and disappointed.

I enjoy tolerable health, but am much harassed with the continual disappointment of my hopes, with the completion of my voyage being so long interrupted, and the possibility of the French sending out to examine the unexplored parts of New Holland whilst they keep me a prisoner here. I should suppose, however, that no passport would be granted them whilst theirs remains in continual violation. Should a peace speedily arrive, and the Lordships of the Admiralty wish to have the north-west coast of Australia examined immediately, I will be ready to embark on any ship provided for the service that they may choose to send on. My misfortunes have not abated my ardour in the service of science. Whilst exploring the north and west coasts, Timor, the Isle of France, Pulo Penang, are much more convenient places to touch at for refreshments than Port Jackson; and the two last are much more capable of supplying naval stores, or the preparations which are often necessary. This, in the event of sending

Continuation
of the
survey.

another Investigator here immediately after the peace, would doubtless be considered, and most probably Lieu't Fowler or my brother be chosen as first lieutenant to bring her out to me. 1806
20 March.

With five or six asses to carry provisions (and they can be procured here) expeditions might be made into the interior of Australia from the head of the Gulph of Carpentaria, in 18°, and from the head of the Great Gulph on the south coast, in 32°, until the courses should nearly meet. Five hundred miles each way would most probably be sufficient, since the country does not appear to be mountainous. A view of my general chart will exemplify this. In case of being again sent to Australia, I should much wish that this was part of my instructions. Exploration of the interior of Australia.

If my release should be obtained, and the Admiralty be desirous that I should explore the north and west coast immediately, the Commander-in-Chief in India might be ordered to furnish me with a vessel, which might be restored after the service was completed, and I could return afterwards to England in one of the Indiamen. You will, however, most probably think that my return to England with my books and papers is necessary before undertaking any other expedition. Flinders anxious to resume his work.

With the highest consideration, gratitude, and respect, I have the honor to be, Sir Joseph, Yours, etc.,
MATT'W FLINDERS.

THOMAS ARNDELL TO GOVERNOR KING.

Sir, The Hawkesbury, 6 p.m., 22nd March, 1806. 22 Mar.

I am extremely sorry to acquaint your Excellency that the flood is now approaching a very dangerous height, and the settlers, in consequence, repairing to the high grounds as fast as they can be brought off. I forbear dwelling on a recital that will be truly painful to your Excellency's feelings, and I beg leave to assure you that every exertion shall be used that may be serviceable, and frequent information forwarded to your Excellency so long as messengers can pass.* The Hawkesbury floods.

I have, &c.,
THOS. ARNDELL.

GOVERNOR KING TO CAPTAIN FORREST.†

Sir, Sydney, 24th March, 1806. 24 Mar.

From the very untoward season this country has experienced during the greater part of last year, our crops of wheat suffered so much that our dependance rested on the produce of our maize crops, which were ripening at the present period; and had Providence spared that resource, it is probable that a very Loss of wheat and maize by floods and other means.

* For further correspondence relating to the flood, see Appendix A.

† Captain of the ship Sydney. According to the *Naval Chronicle*, vol. 28, p. 440, Captain Forrest had been an officer of distinction in the East India Company's Naval Service. He married Miss Matcham Pitt, cousin of Lord Nelson, is alleged to have purchased the estates of ex-Governor Hunter, and settled in New South Wales. He was killed by a fall from his horse, 12th December, 1811. Hunter repeatedly stated that he did not own any land in the colony. He may, however, have acquired some late in life through his nephews, the Kents.

1806

24 March.

small reduction in the ration might have insured a sufficiency till the next harvest. But, I am sorry to say that the continual rain we have had since last January, and the torrents that have fallen during the last week, has produced such an inundation at our principal agricultural settlement, at Hawkesbury (and I fear at other parts which I have not yet heard of), that nearly the whole of our remains of wheat is destroyed, as well as any hopes of saving the maize; nor are these the only losses, as a considerable quantity of stock has perished and some lives are lost.

The ship
Sydney
detained.

As you have detained the Sydney from proceeding to England with her cargo of oil and sealskins until you receive positive accounts of the nature of the Lady Barlow's detention in England, and as that may probably have an unfavorable issue, I request being informed how far it would meet your ideas to unlade the oil and proceed immediately to Calcutta, to return to this colony with 400 tons of rice or wheat, which will relieve this colony, as it will be equally distressed next year for grain, as it is at present, as I have great reason to apprehend there will not be enough wheat saved to sow 200 acres of land.

King offers
to charter
her.

It is necessary, I should premise, that if you cannot agree to the proposal at the same rate as I made the contract with Mr. Campbell in 1801, viz., to deliver the rice at £18* per ton, I must endeavor to take up the American ship Favorite, now in this port.†

I am &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

26 March.

26th March, 1806.

The great
flood at the
Hawkes-
bury.

IN order to ascertain the losses as nearly as possible, and the present situation of the agricultural settlement and people at Hawkesbury,‡ as well as those in other parts of the colony, His Excellency is pleased to appoint the Rev. Mr. Marsden, T. Arndell, and Nicholas Bayly, Esquires, assisted by the chief and other constables of that district, to make the strictest enquiry into these objects, to which every person throughout these settlements are required to give the fullest information and assistance if required.§

Necessity
for raising
vegetables.

From the appearance of an uncommon scarcity of grain, occasioned by the distressing inundation with which it hath pleased the Divine Will to visit this colony, the Governor hopes that

Note by Governor King.—"£18—so in the original; but previous to the contract being signed, it was found that the price agreed for with Mr. Campbell in 1801 was £21 a ton, or, if allowed to bring 18,000 gallons of spirits, £18 a ton; therefore the present contract was fixed at £20 a ton, and to bring only 12,000 gallons of spirits for all the settlements."

† Captain Forrest replied on the same day, placing his ship at the disposal of the Governor on the terms proposed.

‡ See the *Sydney Gazette* of 30th March, 1806, for an extended account of the damage done by the flood in the Hawkesbury River. Very many lost everything they possessed, and several people were drowned. Further correspondence will be found in the Appendix to this volume.

§ The report of Marsden and Arndell forms enclosure No. 3 to King's letter to Camden of 7th April, 1806, post, p 64.

every individual possessed of a garden will apply their whole attention, and that of their family, to raising as much vegetables as possible, and particularly turnips, carrots, and cabbage, for which the present season is most favorable. It is equally incumbent on the settlers, and all other cultivators, to sow at least half an acre of turnip seed, as the produce will sooner be obtained than any other vegetable, and be a great resource to their families. 1803
28 March.

As there is reason to apprehend that all or most of the seed wheat belonging to the Hawkesbury settlers is destroyed, the Governor recommends those who are out of the reach of floods, and have a reserve, to distribute a proportion to their known industrious neighbours, who cannot make a better use of it than by drilling it, which will not take a fourth of the seed, and be equally, if not more, productive, at which the labour of women and children can be usefully employed. Loss of seed
wheat.

To those individuals who have resources of wheat or other grain, the Governor recommends the utmost care being taken of it from the depredations of the idle, and that they will use the utmost economy in its application and distribution. Husbanding
resources.

And in consequence of the destructive losses occasioned by the inundation at Hawkesbury, His Excellency has judged it expedient to direct the Commissary to receive storeable wheat from those who owe Government debts, and who have it to spare, at fifteen shillings, barley at eight, and maize at six shillings a bushel: to those who owe no Government debts, wheat at twelve, and barley at seven, and maize at six shillings a bushel. Price of
grain.

The private bakers at Sydney and Parramatta are directed to attend a Bench of Magistrates, which will be assembled on Wednesday next.

REV. SAMUEL MARSDEN TO GOVERNOR KING. (King Papers.)

Sir,

Hawkesbury, 28th March, 1806.

28 March.

We* have just ret'd from ex'g the lower part of the river from the Green Hills to Addy's. Upon the north side of the river there are a few houses left from Burgesses downwards to Howard's. I think, from the assistance already arrived, a great quantity both of wheat and maize will be saved, as a number of stacks are left in the woods and other parts which the people are all employed opening. Some of the stacks are not wet more than half way up. If the men had not arrived, nearly the whole would have been totally lost, as the wet now would heat the straw and set them on fire. Some of the wheat smokes like a fire already. No person would believe unless they saw the Hawkesbury that the flood had made such great devastation. I think the loss in grain, stock, and other property will exceed £30,000. At present it cannot be estimated. Every exertion is made to save what there remains. Mr. Arndell and I appointed the following persons to act as constables, with The
Hawkesbury
flood.

Losses over
£30,000.

* Doubtless Marsden, Arndell, and Bayly.

1806
28 March. their own districts, on Tuesday, in addition to the former regular constables—"Dyght, Rouse, Singleton, Robinson, Chauker, Sever, Simpson, Yowman"—and gave them a warrant to confine the men within their districts till they had given all the assistance possible. Many of the settlers have nothing left but the cloaths they had on at the moment. It will be necessary as soon as possible to take an exact statement of the men in each district, and see who have the means of employing and maintaining themselves and men; and such as have not, whether bond or free, in the present distressed state of the colony, must be compelled to exert themselves in getting in a future crop, and, as there will be so great a scarcity of wheat, the women and children who are able should be set to drill the wheat in; this will save three-fourths of the seed. Messrs. Putman, Blaxcell, Arndell, and myself are going up the river this morning to see what the people are doing, and what can be saved there. I think by to-morrow Mr. Putman, with the assistance he has, will secure his—at least what remains. I believe the most distressed are now assisted, and, if the whether (*sic*) continues fine, will be able to secure what they have.

Work or
starve.

Yours, &c.,

S. MARSDEN.

P.S.—Baylis is just this moment come from the Nepean. Very little damage is done there. Baylis has lost 16 acres of corn. The back part of Richmond is totally destroyed. The Hawkesbury River and the Nepean nearly joined at Bagary's.

GOVERNMENT AND GENERAL ORDER.

28th March, 1806.

Losses of
grain.

NOTWITHSTANDING the last very untoward and blighting season for the growth of wheat and other grain, the losses occasioned by the partial floods since last September, and the damage done the wheat raised in the former year by the "fly-moth,"—yet the Governor did hope that the reserve of Government wheat, the maize growing, and what could be spared to the public stores by private cultivators, would not only have permitted a full ration being continued, but also supplies being sent to the new settlements.

Reduction
of ration.

His Excellency is, therefore, much concerned that the deluge which has inundated all the agricultural settlements at Hawkesbury, and the consequent loss of grain in stacks and growing, imposes on him the necessity of ordering the following timely retrenchment in the general ration, which the Commissary is directed to issue to those victualled from the public stores to-morrow, until further orders, viz.—

Weekly
ration.

To the Civil and Military.—Wheat 7 lb., or 5½ lb. flour; sugar, 6 oz.
To other Descriptions.—Wheat 4 lb., or 3 lb. flour; maize 4 lb., or 2½ lb. flour; sugar, 6 oz.
To all Descriptions.—Salt pork (one week), 4 lb.; salt beef (one week), 4 lb. Women and children in proportion.

CAPTAIN BLIGH TO VISCOUNT CASTLEREAGH.*

1806

Lady Sinclair, at Sea, Latd. 12° 45', long. 27° 15' W.

My Lord,

1st April, 1806.

1 April.

By a conveyance to St. Helena on the 15th ultimo by the ship *Justina*, I wrote to your Lordship, and now, by the *Alexander*, bound to Rio Janeiro, I transmit a detail of the circumstances to which that letter alluded, all of which have arisen from the behaviour of Captain Short,† who has the command of the *Porpoise* under me, an officer the most irritating and insulting a person in my situation ever experienced; aggravated, too, by a specious denial of committing these acts by publicly reasoning on the improbability of his attempting to quarrel with a person under [whose] government he was ultimately to be, and from whom he had to expect advantages.

Bligh's letters.

Captain Short.

Indeed, there seems so much good sense in this reasoning that it is difficult to imagine any human being could have acted contrary to it, particularly when politeness and moderation were only presented against every violent and insulting act; nevertheless, strange as it is, the acts complained of have been committed in opposition to just benevolence and unassuming manners on my part, which nothing founded in truth can any way controvert. Yet I lament at feeling it necessary, on account of the remoteness of my situation, to give the correspondence‡ that has been between Captain Short and myself, all of which might have been prevented by a civil deportment in him; but he has studiously avoided every personal communication and troubled me with letters and messages.

Bligh and Short quarrel.

In some of these letters, while his pen was expressing something like civility, his mind was forming the greatest acts of rudeness; and this is not more remarkable than the great condescension he shewed the two or three times I sent for him, followed up soon after he left me by violent opposition to the very circumstances he had proposed himself and agreed upon. Besides all this, he has been guilty of more than common acts of an irritating temper. He refused me a boat to convey letters to my friends at a moment when he should have strain'd every nerve to have granted it; he has written to me insulting letters, and among them those by which he desires a reconciliation, after all he had done, were not the least; he has endeavoured to lessen my consequence to the masters of the ships of the convoy by demanding of Mr. Jackson,§ the master of the ship, how he dared wear a pendant, who answered he had an order from Rear-Admiral Sir Richard Strachan, a circumstance common in convoys, laying aside my being on board,

Bligh's account of Short's conduct.

Instances of alleged incivility.

* Enclosed with this letter was a lengthy document drawn up by Governor Bligh and narrating with great detail the various disputes between himself and Short. It contains very little of importance beyond the contents of Bligh's letter, and has therefore been omitted.

† See also letter of 12th March, ante, p. 31; 15th May, 30th May, 1806, post, pp. 74, 81; and compare Bligh's letters to Marsden of 12th December, 1806, post, p. 208, with enclosures.

‡ This correspondence is too bulky to be reproduced here.

§ Captain Jackson was the master of the *Lady Sinclair*.

1806

1 April.

and afterwards writing to Mr. Jackson, and directing him to report by letter, notwithstanding the former explanation which had been given ; he has refused to obey a written order from me conformable to directions I received from my Lord's Commissioners of the Admiralty ; and, likewise, an order to send the second lieutenant to my assistance in this ship, where so much depends on my vigilance and care, tho' he keeps these orders in his possession.

Short fires
at the Lady
Sinclair.

He has grossly insulted me on board the Porpoise when on duty, and told me I had assumed a title I had no right to ; he has fired shot at me,* his superior officer, in the execution of my duty, and in violation of all naval decorum, when I was directing the course of the ship ; and to add to this unprecedented conduct, and to give farther scope to his violence, he commanded my son-in-law,† who was officer of the watch, to see these guns fired, one across our bows, the other at our sails, and prepare another shot to fulfill his intentions of hitting us.

Bligh's
reasons for
not arrest-
ing Short.

It is now my duty to show why I have not by some means checked this turbulent spirit, and it is this : That in my civil capacity as Governor I could only use good temper and good manners, and annex to it in my naval character moderation and humanity, feeling cruelty in a long arrest which would likely occur before a trial, and, therefore, leaving a final judgment to an appeal Home to remove the person who has been the cause of so much vexation, and whose disposition was so early marked inimically to due subordination and good government.

Bligh's rank
and au-
thority.

Reading my commission on board the Porpoise, and being on full pay, constituted me captain of her ; and—that my being in this ship by permission to accompany the Porpoise should make no difference as to the legality of any orders I might give—my Lord's Commissioners of the Admiralty directed, by an especial letter of later date than any other letter or order from under their Lordships' hands respecting the Porpoise, that Captain Short was to confine himself to the duty within the ship, but that I was to direct the course we were to steer, and other things attending thereon, and he was enjoined to obey my orders.

Short's
contention.

In consequence of my duty attending your Lordship's office, and not being able to join the Porpoise, Captain Short received the necessary orders from my Lord's Commissioners of the Admiralty ; and because one of them directs him to proceed to Port Jackson and there put himself under my command, he holds it up to support his conduct to me, notwithstanding it is expressly mentioned he is to proceed with the Lady Sinclair, and he had subsequent directions to follow my orders, as I became responsible for the success of the voyage.

* The circumstance referred to was as follows :—Bligh, without consulting Short, altered the course of the Lady Sinclair. Short signalled him to keep the course laid down. Bligh took no notice, whereupon Short fired a shot across his bows and another astern of him.

† Lieutenant Putland.

I have never interrupted Captain Short in any part of his duty or otherwise, but on the contrary, as it may be seen by his applications, I have been ready to remove every difficulty which occurred to him, and that he looked up to me for advice when it suited his convenience.

1806

1 April

Bligh's attitude

I do most feelingly regret the necessity which has caused me to trouble your Lordship with this letter and papers; but I should ill fulfil my office, and worse support its consequence and dignity, if I permitted this officer to pass without a representation of the transactions. Sorry am I to say, also, that nothing entitles him to my consideration; but if it had, my duty would have impelled me to have brought this matter forward before you, as I shall do before my Lord's Commissioners of the Admiralty.

He acts from a sense of duty.

Under my judicial authority your Lordship will only be troubled with my decisions; but in this matter I trust you will see that our naval regulations do not allow me to decide, and, therefore, beseeching your support to remove this officer from under my government.*

Asks for Short's removal.

I have, &c.,
W^M BLIGH.

GOVERNMENT AND GENERAL ORDER.

5th April, 1806.

5 April.

THE Governor having directed a Bench of Magistrates to consider of the most equitable method of restricting the consumption of bread on the present exigence,† and restraining an unlimited issue of loaves from the private bakers, after conferring with whom the following proposals were submitted to His Excellency's consideration:—

The consumption of bread.

1. Those who may be approved, to take out licenses, and to find two securities in £50 each, themselves in £500, for the due performance of the following regulations, viz. :—

Bakers' licenses.

2. That they do not deliver to their customers, who are off the store only, more bread than what the Government ration allows to those on the store weekly.

3. A list of the above-mentioned customers off the store is to be delivered to the weekly magistrate each Saturday by ten in the forenoon.

Limiting supplies.

4. Any person, not a regular customer, applying for bread, is not to be supplied with such until they produce to the baker an order for the same, which will be signed by a person appointed for that purpose.

Bread orders.

* Short had with him, his wife and family, and a considerable quantity of farming implements and merchandise. He also held a promise from the office of the Secretary of State that the Governor would be directed to allot him a grant of land. From the concluding paragraph of the above letter, it is evident that early in the voyage Bligh had made up his mind to prevent, if he could, Short from settling in the colony. From subsequent papers published in this volume, it will be seen that he sent Short Home under arrest, that he was tried by Court-Martial in England, and honourably acquitted.

† The great losses of grain which had occurred at the Hawkesbury flood necessitated the publication of this Order.

1806

5 April.

The quality
of bread.No pastry to
be baked.Twenty-
seven loaves
to the
bushel.

5. They are strictly to attend to the Order inserted in the *Gazette* of Sunday last* respecting the quality of the bread which they are to bake.

6. They are not to bake any cakes, biscuit, nor any kind of pastry whatever, nor are any to be exposed for sale, on penalty of £5 for each offence, and to have their ovens taken down, their licence and securities forfeited.

The magistrates have also determined that 27 loaves, weighing two pounds two ounces each, are to be made from a bushel of wheat at 56 lbs. to the bushel, and when wheat is given in payment the Order of Feb. 17, 1804,† to remain in force; but to those who pay in money the following assize of bread is found to be equitable by the magistrates, viz., eightpence halfpenny for each loaf, to continue during the present exigence, while the price of wheat given by Government remains at 15s. a bushel.

The Governor having maturely considered the above report, approves and directs its conditions to be carried into immediate force after Tuesday next, the 8th instant.

Straying
animals

to be seized.

Gardens to
be fenced.Retailers of
grain.

Notwithstanding the repeated Orders respecting swine and goats going at large without being yoked or rung, or with a herdsman, yet that regulation, at all times so necessary, is much neglected; and as the present apparent scarcity requires every precautionary aid to insure the produce of the garden to the proprietor, in addition to the penalties prescribed by the existing Orders on that head, the Govr directs that all swine or goats found running loose about the towns of Sydney and Parramatta, or on any cultivated ground, be seized, and on the fact being proved before one magistrate the goats or swine so seized to be forfeited to the person making the seizure, provided there is no cause to suppose they have been purposely loosened by improper means. It is also ordered that every person possessed of a garden in Sydney and Parramatta do immediately fence it round, otherwise the magistrates cannot award damages occasioned by stock. This Order to be in force from and after Tuesday, the 8th instant. And to avoid as much as possible the consumption of grain, those who possess hogs are recommended to kill and salt them immediately.

Any settler disposing of grain and wishing to remove into the town of Parramatta is to apply for a permit to the Governor, through the chief constable at Parramatta, who is ordered to send a constable therewith to His Excellency on Mondays, Wednesdays, and Fridays, at eight o'clock in the morning, otherwise the grain shall be stopped and lodged in the public stores until the business

* The Order referred to merely repeated the Ordinance of 8th May, 1801, vol. iv, p. 364, as a short General Order of 17th May, 1802, directing that no provisions should be sent off in vessels lying in the port without the Governor's permit.

† See vol. v, p. 310.

and can produce before the gentlemen comprising the present
on probable and satisfactory proof that those stacks belong
, their property therein stands good after paying a salvage,
trouble of threshing, to be determined by the above gentlemen.
n case when that proof cannot be substantiated, the quantity
t their stacks yield is to be put into a Government store by
nd after the salvage, &c., is paid to those who saved it, the re-
to be divided among the most necessitous who have lost their
nd are unable to ascertain their property in those which are
bove the creek, known by the name of Mother Mahar's.†
nch of Magistrates will be convened at the Green Hills,
sbury, on Thursday next, the 10th inst., to hear and deter-
l complaints respecting the purloinment of private property
the late inundation, for which purpose those concerned
are directed to attend.

Recovering
lost grain.

Settling
complaints.

By command of His Excellency.

G. BLAXCELL, Acting Secretary.

GOVERNOR KING TO EARL CAMDEN.

Lord, Sydney, New South Wales, 7th April, 1806.

7 April.

The enclosed *Gazettes*† will inform your Lordship of the
y with which it has pleased the Supreme Ruler of events

The great
flood in the
Hawkesbury
River.

ally the "regulators" merely wanted to set up temporarily in Parramatta while
ed their grain.

less identical with the creek now known as Mother Marr's, or Marramarra Creek,
as the southern boundary of the parish of Marramarra.

† *Sydney Gazette* of 30th March and 6th April, 1806, on file at the Public Library

. The first appearance of the flood was on Thursday, 20th March. The rain for
i been incessant. During the night of Thursday the river, still confined within
subsided somewhat, and the apprehensions of the settlers were allayed. On
wever, the rain showed no abatement, and by Saturday morning an appalling
mented itself. The river was almost as high as the great flood of 2nd March,
ring the whole of Saturday the rain continued, and the waters rose rapidly.
the Green Hills, not a house was visible on the eastern side of the river, and only
of a few on the high ground opposite. Wheat stacks, barns, stock, furniture,
millines and the thousand and one amusements of the farm yard were swept

1806
7 April. to visit our agricultural settlements at the Hawkesbury, and the regulations that are hitherto made and making to alleviate the temporary scarcity that must result therefrom. However, with a rigid œconomy I have every reasonable hope, if no accident happens to the providential reserve of Government wheat in stacks and growing maize, and what may be saved from the wreck of the inundation, and with the aid of private cultivators in those parts which have escaped the deluge, that we shall have a scanty sufficiency till the ensuing harvest, or until the supplies I have engaged for arrive ; nor am I without hopes that we shall be able to draw some small resources from Norfolk Island, although they will be but few, from the great reduction of its inhabitants.

Wheat
supplies.

Grain in
Government
stores.

That your Lordship may clearly understand our resources, I shall annex the following statement from the Commissary's returns and the present reports that have been made. There is now in Government hands belonging to the Crown, viz. :—

	Pounds Wt.
After deducting 350 bushels for seed from 6,000 bushels of wheat in stacks, equal to	282,500
In the public granaries—Maize and barley...	60,000
Will be produced from 250 acres of maize which will be gathered in May, estimating its produce to be only 15 bushels the acre ...	187,500
	<u>530,000</u>

which, at nine pounds of grain per week for two thousand nine hundred rations victualled from the public stores at these settlements, Hobart Town, and Port Dalrymple, will last until the latter end of August. Resources may be drawn from the wheat harvest in January, but the scarcity of seed will prevent much of that grain being sowed.

Necessity of
procuring
bread.

* * * * *
From what I have stated, and the enclosed documents, I trust your Lordship will readily conceive the necessary obligation I am under to have recourse to every expedient for obtaining some certainty of supplies of grain in as short a time as possible—that any period of being without bread might, in the event of accidents happening to our ensuing crops, be the sooner remedied. For this purpose I made the enclosed agreements* with the owners of the Sydney for bringing rice, as well as for disposing of the ship timber, to defray a part of that expense, and I have every reason to hope she will return in less than seven months.† I also intend to engage a fast sailing small vessel belonging to Messrs. Campbell, at 18s. a ton per month, to proceed direct for Madras,

Sending to
India for
rice.

* The price to be paid was £21 a ton for 400 tons of rice or flour from Calcutta, and £25 a ton from China, if landed in six months.

† See King to Forrest, 24th March, 1806, ante, p. 51. The Sydney carried a cargo of Colonial timber which it was intended to offer for sale at Calcutta. She had been detained from sailing to England with a cargo of oil, skins, &c., by a report that a vessel similarly freighted (the Lady Barlow) had been seized by the Customs for infringing the territorial trading rights of the East India Company. The Sydney was wrecked on her voyage to India, but all hands were saved.

at equal to our necessities. I therefore decline his
t and uncertain proposals contained in the enclosure.†

Tellicherry was about sailing for China, I received the
application from the commander of that ship, to which I
honour of annexing my answer complying with his
offer.‡

My Lord, I hope it will appear that I have taken every
all precaution the necessity of the case requires. The task
mine for me to perform is arduous, but not more so than
others that have fallen to my lot since I have been honoured
with charge I now hold, and is what every Governor of New
South Wales must make his mind up to, and more particularly in
the event of misfortune proceeds from Heaven and not from man.
Your Lordship may form a just idea of the mischief done,
and in the two *Gazettes* I enclose a small chart of these
lands,|| which, lying now before me, I shall observe such
measures as require to be detailed in this place. By the
event of the inundation, your Lordship will observe that all the
low track is low land, and that of the most fertile kind,
and I no doubt be greatly renovated by the late flood. This
country was settled during Lieutenant Grose's
visit on the recommendation of Governor Phillip, and surely
it could possess more local advantages for raising an
abundance of grain than the districts about the Hawkesbury.
These are subject to the misfortune of being often inundated.
The natives say (in comparing the event with a man's age)
that twenty-six years ago a flood occurred that no other
of it could be formed than that the natives who had
the highest trees were swept off—it had then poured in
for nine days and nights. There is every reason to
suppose that a high flood happened in March, 1788, which was
just after the first colonists were landed at Port Jackson.

The
Tellicherry.

King's
precautions.

A chart
showing the
extent of the
flood.

First
settlement
of the
Hawkes-
bury.

Records of
previous
floods.



- 1800 at Hawkesbury, took place in March, 1800 ; and from October, 1800, to March, 1801, two extreme high floods occurred, the last of which swept almost everything away, as stated in my general letter dated 10th March, 1801.* From that period there has been a few partial floods that have not done much damage, until this unfortunate event, which will more than ever convince the settlers in that quarter of the unstable tenure by which they hold their property and the fruits of their labour, which I hope will have the effect of making them set a greater value on the forrest land,† which, although not so fertile as the Hawkesbury land, are secure against the many misfortunes of floods. And now that cattle have encreased, and are encreasing so rapidly, the want of manure for forrest ground will, by degrees, be furnished. However, no accident will prevail on the present holders of farms on the Hawkesbury to relinquish their situations, where, to use their own consoling comfort, "one good crop will repay two bad ones"; and if they can save or procure enough seed to sow their grounds, the ensuing crops, from the benefit the ground receives by the flood, may be very great, notwithstanding the degenerated state of the seed, which has undergone no material change since the colony was first settled.
- 7 April. A period of immunity.
- Hawkesbury settlers refuse to relinquish their farms.
- Seed wheat. By the Sydney I have requested that a quantity of good seed wheat may be sent, if it can be procured, as well as a change of culinary seeds ; and in this place I respectfully request that from one hundred to three hundred bushels of good seed wheat may be sent from England by any whaler or other ship coming here direct ; and if it is packed the same as the barley was sent from England by the Experiment in 1804, viz., in good watertight casks, pitched throughout the inside and outside, and covered with painted canvas, there is no doubt of its arriving safe. The most convenient time for sending it from England would be from July to September, when it would arrive about the sowing time in March and April. This change of seed is of such consequence to the colony that five hundred or one thousand bushels would not be too much, but on the contrary hasten the general change which can then be kept up between these and the new settlements.
- Flour not needed. In order to prevent any extensive shipment of flour in England for these settlements, it is necessary I should inform your Lordship that no supplies of that kind can reach us from England before eighteen months, and long before that period we shall have had three harvests of wheat and maize, exclusive of supplies expected from India ; but a year's flour for the new settlements, where there are now 670½ full rations victualled at 8 lbs. of flour each full ration weekly, would not be misapplied.

* See vol. 4, p. 320.

† Note by Governor King.—"Such as the land about Toongabbie, Parramatta, Prospect Hill, Castle Hill, Seven Hills, and the farms on the north side of the harbour of Port Jackson, and in various parts of the country."

On this occasion the want of stores for refitting the Buffalo is sensibly felt at this moment, altho' that ship sails too heavy to afford the prompt supply we now need, as she did not perform her voyage to India in less than fourteen months.

1806

7 April.

Ship's stores.

Enclosures.

As a very particular inspection is making of all the agricultural settlements by three officers named for that purpose, I am not able to send their report as they are at present engaged in that enquiry, but to communicate some idea of this misfortune, I have the honor to enclose a rough estimate* of the private property lost (Government having met with no loss whatever). I have also stated the loss that was ascertained† by the great flood in March, 1801.

Respectfully referring your Lordship to my General Orders stated in the enclosed *Gazettes*,‡ and the persuasion I have that every industry will be exerted to remove the present inconvenience.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure No. 1.]

MESSRS. D. WHITNEY AND J. PADDOCK TO J. HARRIS.§

Sir,

Sydney, 29th March, 1806.

After taking into consideration the proposals|| made by His Excellency, Governor King, for employing the ship Favorite to bring a cargo of rice to this port, we beg leave to state the following proposals, which you will have the goodness to communicate to His Excellency :—

Freight on rice.

His Excellency will advance ten thousand dollars, for which we will give approved security, and will pay £30 for every ton of rice that the Favorite shall bring into this port within five months after she departs from the Heads, and for every ton that shall be brought within six months £25, and for every ton that shall be brought within eight months, £18.

Terms proposed.

And as it is uncertain whether we shall be able to procure a full cargo of rice without going to several places, and consequently delaying the time considerably, we shall take it as a favor if His Excellency will allow us to bring four or five thousand gallons of spirits, and any kind of provisions that we can procure.

Spirits.

If the above conditions should meet the approbation of His Excellency, we shall exert ourselves to get the ship ready as soon as possible, and to proceed on the voyage.

We are, &c.,

DANIEL WHITNEY.

JONATHAN PADDOCK.

* The rough estimate is omitted and in place thereof is printed the report signed by two of the officers appointed to make a detailed inspection, viz., Marsden and Arndell.

† See enclosure No. 4, post, p. 65.

‡ The *Sydney Gazette* of 30th March and 6th April, 1806, contained the General Orders of 26th and 28th March and 5th April, ante, pp. 52, 54, and 57.

§ Addressed to Harris as Naval Officer.

|| King agreed to give £30 a ton if landed within four months, £25 if landed within five months, and £18 a ton if landed within six months.

1806

Note by Governor King on preceding Offer.

7 April. **King refuses terms.** Mr. Harris will have the goodness to inform the supercargo and master of the American ship Favorite, that Government has no dollars, nor do I choose to give six shillings a piece for such dollars as I might be inclined to take up from the few individuals who possess them.

I cannot admit of any deviation from the periods and prices stated in my note of the 27th instant, as the first for four months was Mr. Whitney's own proposal, particularly that of eight months, as I expect the Sydney's return in seven months, and a vessel from Bencoolen in five months at farthest.

Every objection to spirits.

To the request of bringing spirits I have every objection.

PHILIP GIDLEY KING.

[Enclosure No. 3.]

The flood of 1806. THE following is the result of the reports of the detailed inspection taken by the Rev. Mr. Marsden and others after the flood in March, 1806, to ascertain the loss and damage occasioned by that unfortunate event to the Hawkesbury settlers.

Extent of the flood. The inundation completely covered the surface of 36,000 acres of land, of which 14,000 acres were located to individuals, on many parts of which the water lay from 12 to 18 feet; 4,500 acres were in wheat and barley last year, being reaped in January; 2,424 acres were under maize in different states, but mostly very forward, which, as well as the produce of 304 acres of garden ground, was almost entirely lost.

Value and quantity of grain lost.	The wheat stacks swept away and entirely lost, and accounting for damage by the fly-moth, were estimated to yield the probable quantity of 23,606 bushels of wheat, which, at 8s. per bushel, the then price, is	£	s.	d.
	... ..	9,442	8	0
	Maize remaining in the settlers' houses, &c., from former crops, and that totally destroyed in its growing state, was 59,450 bushels, at the then price of 4s. per bushel	11,890	0	0
	Barley swept away and lost, 4,145 bushels, at the then price of 5s. per bushel	1,036	5	0

Live Stock lost.

Live stock lost.	Swine, 3,563 at £1 10s each, £5,344 10s.	}	7,454	10	0
	Horses, 16 at £100 each, £1,600	...	...		
	Sheep, 47 at £2 each, £94	..	...		
	Oxen, 4 at £30 each, £120	...	...		
	Goats, 296 at £1 each, £296	...	...		
	Buildings totally and partly destroyed are undervalued at	5,425	0	0			

Making a total loss of private property belonging to the settlers in that quarter of the colony of ... £35,248 3 0

The number of persons who lost their lives were 2 settlers, 3 labourers, and 2 women.

March 22nd, 23rd & 24th 1806



1806

*in general, was on an average
above the ordinary bed being*

en

P. G. K.

By the inspection it appears that the number of persons resident at Hawkesbury who have suffered by the inundation are as follows, viz.:—

Settlers and other cultivators, being proprietors...	340
Labourers, free and convicts	454
Women ..	238
Children	461

1806
7 April.
Number of
sufferers.

and that there is the probable remains of the following grain to seed their ground and for the general support until harvest in December next:—
Wheat, 9,598 bushels; maize, 12,700 bushels; exclusive of the providential reserve of about 8,000 bushels of wheat in stacks and the produce of 200 acres of maize belonging to the Crown at Castle Hill.

SAMUEL MARSDEN.
THOS. ARNDELL.

[Enclosure No. 4.]

AMOUNT of the damage done at the Hawkesbury by the floods in January, February, and March, 1801, as were ascertained at that period:—

		£	s.	d.
Grain	Wheat, 15,689 bushels, at 10s.	7,844	10	0
	Maize, 57,254 bushels, at 5s.	14,313	10	0
Live Stock.—Hogs, 104 in number, at £1		104	0	0
Buildings and Property		500	0	0
		£22,762 0 0		

GEORGE CALEY TO SIR JOSEPH BANKS.

[Extracts.]

Sir, Parramatta, 9th April, 1806.

9 April.

I have been a voyage to Norfolk Island and to the River Derwent. I landed at Norfolk Island on the 14th October, 1805; remained there till the 2nd of November; landed at Hobart on the 29th of the same month; left Hobart on the 20th of December for to join the ship at Sloping Island,* in Frederick Henry Bay. Went on shore at Sloping Island on the 21st and remained there till the 27th; on the 28th sailed for Achuntoon Bay. Went on shore in the evening and on the following day. Sailed from there on the 31st. On the 8th of January, 1806, went on shore at Kent's Group; sailed from there the same day and anchored in Sydney Cove on the 23rd of the same month. I cannot say that I was altogether so successful in this voyage as what I expected.

Caley's
travels in
Van Die-
men's Land.

At Norfolk Island I was as long as I wished to be; but at the Derwent, had I remained double the time I could have done as much again as what I did. Being there at a different season than when Mr. Brown visited it I conceived was likely to throw more plants into your hands. The neighbourhood of Hobart I pretty well explored. On the 5th of December I went on to the Table Hills, or Snowy Mountain, but which I shall hereafter call Skid-daw—as I perceive that name was given to it by Mr. Hayes when

At Norfolk
Island and
the Derwent.

* Slopen Island on modern maps. It was the Ile St. Aignan of Dentrecaesteaux.

1806 he discovered the Derwent, I suppose from Skiddaw in Cumberland.* I gained the summit by a route which had not before been attempted—by being considered impracticable. My time being so short caused me to take the nearest route, and I found it was more easy of access than by the one which I chose on my return. The day was warm, but when we got upon the hill—about 5 in the evening—we felt a cold westerly wind blowing pretty fresh; Intense cold. the thermometer sank to 39, but I had reason to believe that had it been exposed a little longer it would have sunk lower. Not being able to find a hollow rock and but a small quantity of wood, and the night being attended with showers of mizzling rain and sleet, made us very uncomfortable. On the 6th, at 5 in the morning, thermometer 33, exposed to a strong west wind, and slight showers of sleet-like rain falling. Never did I feel such piercing cold since I left England. My fingers were so benumbed that I could not hold a pen; but though I was shivering with cold I was greatly animated by the questions and conversation of an inland, or bush, native of Port Jackson, which came with me and who had never felt such a keen piercing air before. I expected to have had some good views and to have met with a —† of Alpine plants, which was my motive for remaining on the top of the hill all night in order that I might be more in readiness; but in the former I was prevented by fogs, and in the latter I was deceived. To the west I saw some high mountains. Skiddaw is certainly a very high hill. I have to lament that its height remains unknown. The top is an inclining plane to the southward, with different sorts of dwarf rigid shrubs growing in a scattered manner, and in moist places a very small species of *Euphrasia*, with large flowers. This was the only herbaceous plant I met with in flower, and it grew in patches in a matted form. Large loose stones are scattered about in places, and on the sides they lie in confused heaps, and are troublesome to walk over; they appear to be of basaltic-like kind. Not an instance did I observe where a person could be sheltered from the rain. Water was very scarce on the top, and I was at first under the dread that we should be forced to squeeze it out of moss. The native told me that the porcupine ant-eater and the wombat must be common by his frequent seeing their tracks, and our dog catching one of both. I was in great hopes of procuring some living plants of small growth to fill up the vacance in the garden begun by Mr. Brown, but this was too arduous to accomplish. I was obliged to leave Hobart without taking an excursion up the Derwent, and the opposite side was also left unvisited. At times I thought of not returning by the Sydney, but I was afraid that I should not meet with a passage shortly after for to join her again before she sailed for England. Of the

9 April.

Mount Wellington.

Description of the summit of Mount Wellington.

A hurried visit.

* Now Mount Wellington. Flinders, in his map of 1798-9, gives it the name of Mount Table. Dentrecaesteaux's map has Monta'gne du Plateau.

† Word illegible.

of the settlement my time was too short for to ascertain. What
 le good land I saw was much inferior to that in New S. Wales,
 l that it seems to be better arable than pasture land. The
 nate of the settlement—by what I could learn—is not colder
 an the climate of Port Jackson. This appeared to me evident :
 at the temperature of the weather is subject to sudden changes,
 d that gales of wind are as frequent as the extremes of heat
 d cold ; however, in short, by these sudden changes the summer
 d winter are brought more into contact. Comparisons of this
 ature occur in the mountainous parts of England, and probably
 oughout the globe. My opinion is now altered concerning the
 lants of Van Dieman's Land standing the English winters, for
 think those about Hobart are no more hardy than those at Port
 ackson ; and for to get those which grow on the mountains will
 e too great an undertaking, unless that is the sole employment ;
 nd even then it will be too laborious for a single person.

1806

9 April.

The climate.

By casting the eye upon the map of Van Diemen's Land, and
 rom what is already known, we may suspect that a general
 nnowledge might be soon obtained from an intelligent traveller
 especting its importance as an agricultural settlement. This I
 ointed out to Gov. Collins, and that three journies would ascer-
 ain this matter. One journey I propose should be made to Port
 Dalrymple.* By this might probably be learned the source of the
 Derwent, and the source of a river discharged at Port Dalrymple ;
 or the rise of these two rivers may originate nearly from the
 ame place, the one with its streams proceeding south, and the
 ther north. The second, I would advise to be as nearly west as
 an be gone. This would give a knowledge of the Huon, and
 hether any river near discharged on the west side of the island,
 bout Point St. Vincent ; for it is not improbable but what
 ere may be a similitude in that part as on the eastern. The
 ird to be taken either from Hobart or Port Dalrymple, making
 oice of that which appears most promising. If from the first, to
 about a north-west tour ; if from the latter, a south-western
 e. This last would discover whether any other rivers run in a
 ntrary direction to what is before surmised.

Proposed
exploration
of Van Die-
men's Land.

It is said that Capt. Bligh is appointed Governor for this terri-
 y, and that Governor King is going in for leaving here in about
 months. If this be true, I shall be for remaining a while
 iger, for what ship the Gov. returns in is sure to be much
 onged. I strongly suspect that there are a great many new
 nts in the interior of the country, and as I have a tolerable
 owledge of the country, I am more likely to obtain them than
 y other person ; for if I should delay such journies, it may be
 ong time before they are known to you. These journies require

Rumours of
King's suc-
cessor.

he route was first opened up by Thomas Laycock. See his journal, post, p. 255 *et seq.*

1806 | the notice and liberality of a Governor, and if Gov. Bligh will give
 9 April. me such assistance, I am determined to undertake them. On
 Caley's pro- journey I propose to the Coal River—departing from Richmond
 posed ex- Terrace and travelling between the N. and N.E. Another is
 plorations. that part of the country called by the natives Jugroy ; and the
 third, the tract as noted by Mr. Barralier. These journies I intend
 to be long ones ; but to accomplish them I am afraid I shall labour
 under a great disadvantage, viz., the want of provisions.

* * * * *

I remain, &c.,

GEORGE CALEY.

Rare
animals

P.S.—I have lately got two animals which the natives have long ago told me of. I have preserved the skins—male and female. They call it yaudol. The animal has a head somewhat like a rabbit, and a long bushy tail. They must be difficult to catch, for they have tried for these six months to catch them. I have got two more sort of kangaroo skins, one at Hobart and the other at Kent's group.

captured by
Caley for
Sir Joseph
Banks.

I am very unfortunate in fulfilling your orders respecting the water-mole and the porcupine ant-eater. The porcupine which I caught upon Skiddaw got away from me at Sloping Island ; it had begun to eat flour mixed with water. The whombat escaped from me at Parramatta ; it was becoming very tame, and fed remarkable well on dry grass when on board ship. I strongly fancy that had not I tied it out in a strange place to graze, and been a little longer accustomed to its new habitation, that when it slipped its collar, it would have returned home. It might have been brought to England alive with but little trouble. What was most singular, I could not make the dog hunt it. Probably this was owing to his being accustomed to it. In the course of two hours I got about half-a-dozen natives, and they could but trace only a short way. Both animals were females.

COURT OF CIVIL JURISDICTION.

12 April.

Judge-Advocate's Office, 12th April, 1806.

The Civil
Court
to meet at
the Green
Hills.

HIS Excellency the Governor, having directed the Court of Civil Jurisdiction, now sitting, to be removed from Sydney to Hawkesbury, the same will open for despatch of business at the Green Hills, on Monday the 25th instant.

The reason for which His Excellency has judged it expedient to order the Court at the above place, is in consequence of the late flood, which in many instances has swept away the entire property of individuals, who would, notwithstanding, have been obliged to repair to Sydney at a heavy expense and loss of time. It is therefore hoped, that although recourse to legal measures must be resorted to for the recovery of property, yet in the

present instance, where industry has been checked by the late unfortunate event, that the creditors of those who bear an industrious character will not press their prosecutions further than is unavoidably necessary for obtaining security for their respective just demands.

RICH'D ATKINS,
Judge-Advocate.

1806
12 April.

GOVERNMENT AND GENERAL ORDER.

13th April, 1806.

13 April.

THE Governor finds it necessary to caution those who have only themselves and one or two more in family, from requesting permits, as pointed out in the General Orders of the 5th inst.,* for quantities of wheat and maize to be taken to their dwellings in the towns of Parramatta and Sydney; for however excusable such provision may be on their own part, yet justice and humanity to all forbids the scanty resource of grain being thus monopolized, for the purpose of selling at the most exorbitant price. As lists are directed to be kept of the persons making those applications, it is hoped they will of themselves recollect the general and individual need there certainly will be for grain, and not to compel the executive authority to have recourse to those measures which the exigency of the case may eventually require.

Trafficking
in grain.

It has been observed that several very indifferent characters among the settlers entice the servants of their neighbours from their duty by the lure of cyder made from peaches, which occasions a number of very improper characters frequenting their places; nor is this practice confined to that description of settlers, but is common in the towns of Sydney and Parramatta. The General Orders of the 10th October, 1800,† positively forbids the retail of spirits by those who are not licensed, which, if not before understood, is now ordered to include vendors of cyder, beer, &c., unless they have a license for that particular purpose.

Cider made
from
peaches.

It is therefore ordered that if any convicts or others are found tippling or assembled in unlicensed houses, the penalties will be levied on conviction, and the person keeping the house otherwise dealt with as circumstances may require.

Unlicensed
victuallers.

Licensed persons are required to use their utmost circumspection in preventing any unlawful or improper meetings of the idle and dissolute in their respective houses at any time, and more particularly at those times forbidden by existing General Orders.

Unlawful
meetings.

The Rev. Mr. Fulton, Chaplain of Norfolk Island, having arrived to do the duty of the Rev. Mr. Marsden during his intended leave of absence, that clergyman will perform Divine service in these settlements until further orders.

The new
Chaplain.

* Ante, p. 57.

† Apparently an error. See, however, the General Order of 27th October, 1800 (vol. iv, p. 249), which deals with the issue of licenses to retail excisable liquors.

1806

18 April.

Trafalgar.

Almighty God having blessed one of His Majesty's fleet (under the command of the much lamented and renowned Lord Nelson of the Nile, who with several distinguished officers and brave men were slain in the arms of Victory), the signal and decisive defeat of the French and Spanish combined fleet, great superior in number and force, His Excellency the Governor directed that Sunday next, the 20th instant, be observed as a day of general thanksgiving, for the mercy and goodness shewn to our Most Gracious Sovereign and his dominions.

Divine service.

The Rev. Mr. Marsden will perform Divine service at Sydney in the front of Government House, at 10 o'clock; the Rev. Mr. Fulton at the church at Parramatta; Mr. Crook, missionary, at Castle Hill; and Mr. Harris, missionary, at the Green Hill Hawkesbury,—at which places, all persons not prevented by sickness, or the necessary care of their dwellings, are expected to attend.

GOVERNMENT AND GENERAL ORDER.

15 April.

15th April, 1806.

The Loyal Association.

His Excellency the Governor is directed to signify His Majesty's approbation of the enrollment of the Sydney and Parramatta Loyal Associations as being highly proper, and reflecting great credit on the zeal of the individuals who have enrolled themselves in it, and approving of the temporary appointment of Lieutenant Minchin as Artillery and Engineer Officer, provided it does not interfere with his duty as Adjutant of the New South Wales Corps; and, by a communication to which His Excellency is referred by the Secretary of State from His Royal Highness the Commander-in-Chief, "to consider any Colonial forces that may be called forth by the authority of the Governor as armed associations are considered in England, and that persons acting as officers with such corps, having been duly notified in General Orders, as to rank next, but subordinate to, officers of the Army of the same rank, and when called forth are to do duty accordingly."

Rank of Volunteer Officers.

Celebrating Nelson's victory.

Three volleys will be fired after Divine service on Sunday next by the New South Wales Corps and Loyal Sydney Association, and a Royal salute to be fired from the battery at Dawes's Point at an appointed hour, in celebration of the glorious victory obtained over the combined fleets of the enemy on the 21st of October last by the fleet under the command of the late Vice-Admiral Lord Nelson.

JUDGE-ADVOCATE GENERAL TO THE DUKE OF YORK.

Judge-Advocate General's Office,

24 April.

Sir,

24th April, 1806

The case of Assistant Surgeon Savage.

Having had the honor of laying before the King the proceedings of a General Court-Martial held in the territory of New South Wales on the 14th, and continued by adjournments till

of June, 1805, when Mr. John Savage, Assistant-Surgeon of the Territory of New South Wales, was found guilty of "neglect in not attending the wife of Edward McDonald, settler, at King Point, when in labour, although solicited by the husband in the most pressing manner," and was adjudged to be hanged,—I am to acquaint your Royal Highness that His Majesty, having fully considered the whole of the proceedings, did not think fit to confirm the sentence, the case proved not to be a military offence within the Mutiny Act or Articles of War, and His Majesty is pleased to direct that Assistant-Surgeon Savage be released from his arrest and restored to the functions of his Commission.*

I have, &c.,

NAT. BOND.

GOVERNOR KING TO COMMISSARY PALMER.

6th May, 1806.

6 May.

Right Honorable Viscount Castlereagh having, by dispatch of the 13th July, 1805, directed that Mr. Gregory Blaxland be accommodated by Government with the same aid I was promised under Lord Hobart's dispatch of the 24th February, to afford to industrious settlers, with this difference only, that Mr. Blaxland should pay for the stock delivered to him in England in lieu of produce—recommended in that dispatch to be accommodated to persons supposed to have little or no stock,—you are therefore hereby required and directed to cause to be delivered to the said Mr. Gregory Blaxland thirty-seven head of cattle, two bullocks, and one bull of his own choosing from the Government herds, charging at the rate prescribed by the General Order of February 6th, 1804,† and for which you will require from the said Mr. Gregory Blaxland bills of exchange at thirty days sight on his correspondent or agent in England, which bills of exchange you will transmit to my Lords Commissioners of His Majesty's Treasury, with a copy of this Order and regular receipts of this transaction, delivering me two copies thereof; for this shall be your order.

Sale of Government cattle to Gregory Blaxland.

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

11th May, 1806.

11 May.

NOTWITHSTANDING any former Orders, regulations, or customs, His Majesty's Government strictly forbids any inhabitant or other person whatever to quit their towns or settlements of Sydney, Parramatta, Green Hills, Castle Hill, quitting their respective dwellings on any pretext, in case of alarm by fire, commotions, or otherwise, either by night

Private citizens to remain indoors in cases of alarm.

*According to Bligh, on 31st December, 1807 (post, p. 402), Castlereagh stated that Mr. Savage did not return, having engaged with the East India Company. See Dr. Jenner's letter to Secretary Windham, 14th November, 1806, and its enclosure, post, p. 202; also the Order of 7th April, 1807, post, p. 263.
†It is, £28 a head.

1803 or day, after the drums have beat to arms, and the alarm bells are rung, excepting police, military, and others stationed at the respective alarm posts, unless the service or appearance of any collective number or of individuals may be called for by the magistrates or commissioned officers civil and military. Disobedience of this Order will subject the persons offending to a most exemplary punishment, nor will the situation of any description of persons exempt them from having due notice taken of their acting contrary to this Order.

Andrew Thompson to be allowed to brew beer.

In consideration of the repeated useful and humane exertions of Andrew Thompson, settler, and head constable of the Hawkesbury districts, in saving the lives and much of the property of the sufferers by the repeated floods in that matter, as well as from his general demeanor, and to provide a wholesome permanent drink for the settlers and labourers in that extensive settlement, His Excellency has directed the Commissary to furnish the said Andrew Thompson with the coppers and other brewing utensils arrived by the William Pitt, he making payment for the same, with the usual advance of fifty per cent., in the following obligatory conditions—that is to say:—

To supply the inhabitants with good beer at not more than one shilling per gallon, and small beer at sixpence.

Not to dispose of the beer so brewed to particular individuals, but the distribution to be as general as possible.

Not to sell, give, lend or make any other use of the malt he may make than for the purpose of brewing on his own premises.

GOVERNMENT AND GENERAL ORDER.

11th May, 1806.

Private stills.

THE Governor having received certain information that concealed stills are worked in different parts of the colony, from which a poisonous and inflaming spirit is procured; and as it is certain that those stills are not worked but with the aid of some unknown but not unsuspected persons of property in furnishing sugar and other materials, the following rewards will be given to accomplices, labourers, and detectives on conviction of the offenders, viz.:—

Rewards to informers.

To a convict under sentence of the law, on conviction of the worker or workers of the still (not being above the class of settlers from prisoners or those who have been or remain under sentence of the law), a conditional emancipation and a reward of ten pounds from the Gaol Fund.

To freemen of all descriptions, on conviction as above, a reward in stock or otherwise equal to the value of twenty eight pounds sterling.

To a convict under sentence of the law, on conviction of any settler, dealer, or other person of property, furnishing any of the materials for the purpose of such distilling, an absolute pardon and a reward of ten pounds from the Gaol Fund.

To free men, on conviction as above, a reward in stock equal to **1806**
fifty-six pounds.

Any convict by whose information or means any person what- **11 May.**
ever is convicted of vending, giving, or bartering spirits so made, Vending
will receive a conditional emancipation. illicitly
distilled
spirits.

Any free man by whose means any licensed person is convicted
of selling, giving, or bartering such spirits, will receive the amount
of the recognizances and have the forfeited license.

GOVERNMENT AND GENERAL ORDER.

13th May, 1806. **13 May.**

From the unlawful meetings lately held in the colony, and the **Night**
numerous depredations of various kinds committed on the public, patrols.
patrols from the New South Wales Corps and Association are
directed to visit the different parts of the towns of Sydney and
Parramatta and their environs at indeterminate periods from sun-
set to daylight. The inhabitants are therefore cautioned to attend
to the following instructions, given to the patrols and police :—

1st. Not to suffer lights to be kept in improper houses after **Lights to be**
tattoo beating ; if such houses should be lighted after that hour, extin-
guished.
and improper persons (not residents) found therein, they are to be
confined, and the proprietor's conduct to be reported.

2nd. All idlers loitering about the towns or environs after sun- **Night**
set to be imprisoned. prowlers.

3rd. Convicts taken up by the guard or patrol at night to be
sent to gaol ; but should any improper conduct in persons of other
descriptions oblige the guard or patrol to detain them, they are
to be kept in the main guard room.

4th. It is to be clearly understood that officers of all descriptions **Exceptions.**
of the Navy, Army, the masters, supercargoes, and mates of mer-
chant vessels laying in the harbour, storekeepers, superintendants,
constables, and officers' servants on their masters' business, are to
be passed on making themselves known to the patrol or centinels ;
also known householders of good character, and who carry a light
agreeable to the standing General Orders of the garrison.

5th. Persons answering " officer " who are not entitled to that
appellation are to be detained.

6th. Persons of whatever description making use of abusive or **Abusive**
insulting language to the patrol or centinels in the execution of persons to
be detained.
their duty, are to be detained and reported next morning.

7th. All persons taken up by the guard or patrol, and confined
either in the guard house or gaol, are to be reported by the officer
to Major Johnston at Sydney, or to Captain Abbot at Parramatta,
before guard mounting next morning, that such measures may be
taken as the service requires.

1806

CAPTAIN SHORT TO CAPTAIN BLIGH.*

15 May.

His Majesty's Ship Porpoise, Simon's Bay,

Sir,

Cape of Good Hope, 15th May, 1806.

Short
explains his
position.Bligh not his
commander.Short alone
responsible.A parallel
case.A subordin-
ate waiting
for orders.Short not
influenced
by private
feelings.

Finding you persist in sending me orders, altho' you are not mustered on board any of His Majesty's ships on this station, and the ship's books you are first captain of having you checked on leave, I think it a duty to the service, and myself as an officer, to state my reasons for not attending to them, that if His Majesty's service suffers it may not be my fault. You, sir, wanted to assume the command over me otherwise than the course and ports on the voyage. It certainly was never their Lordship's intention that you should have it; otherways they would not have addressed all their orders and private signals to me, and particularly to take Captain Beaufort of the Woolwich under my command, and sent me a copy of his orders. I have only to ask you, as an officer, if any accident had happened to that convoy (otherwise than course and ports) who was the officer that was to answer for it? Most certainly myself; for you was not amenable to the Articles of War, being on leave; neither, sir, are you at this time, not being mustered on board any of His Majesty's ships. I beg to assure you that my objections are founded on what I conceive strictly the rules of His Majesty's naval service at this and every other port but New South Wales, where you will find no officer more ready to obey your orders; but conceiving as I do, I cannot obey them untill you are mustered, for, if I was, I think myself subject to a Court-Martial for acting unbecoming an officer. The Woolwich is coming in. Can Captain Beaufort obey your orders untill he finds you are mustered on board one of His Majesty's ships? If he does, I have no objection to say he acts unlike an officer, and that I will report his conduct to my Lords Commissioners of the Admiralty.

I have just received a letter from the master builder, who was on board yesterday to survey the defects of this ship. He says you have directed him to go on with the Rolla untill you have received from me the state of the Porpoise. You know my reasons for not giving them to you. It is in your power to command them, and every other thing for His Majesty's service, by giving me an order to return you from leave, when you will find no officer more ready to obey your orders strictly than myself. The situation I am placed in never, I am certain, happened since the Navy existed, and be certain, far from opposing your orders under any other view but what I conceive strictly my duty, I declare that an officer who would act from private resentment is unworthy the name of an officer. You have repeatedly accused me publicly of

* See also Bligh to Castlereagh, 1st April, 1806, ante, p. 55; Short to Marsden, 12th March, 1806, ante, p. 31; Bligh to Marsden, 30th May, 1806, post, p. 81; Bligh to Marsden, 12th December, 1806, post, p. 208; and Short to Bligh, 25th December, 1806, post, p. 223.

an unaccommodating man to a person who has it in his power
 ve me so much as you might have ; also, in a former letter,
 ed to my large family. I am confident an opposition to your
 s is not the way to obtain favors ; but, sir, the line of service is,
 opinion, strait, and any officer who would depart from it to
 his own private interest is unworthy to hold a commission in
 Majesty's service ; and I here most positively declare that every
 sition I have made has been founded on what I conceive the
 of His Majesty's naval service, and not from any other motives.
 Having thus far explained myself, let me, sir, for the honor and
 of His Majesty's naval service, request you, as I find it is
 determination to assume the command of His Majesty's ships,
 ny means which you may think proper, to return yourself
 leave, when the service will go on, as no impediment can be
 wn in the way, and this ship in particular, which wants much
 r, be taken in hand ; and if you will condescend to consult
 the officer who will then be next in command, I think I can
 t out something which may be of advantage to His Majesty's
 l service at this port.

I beg to conclude, sir, by assuring you on my word and honor
 a officer, that I have never opposed your wishes from any view
 what I thought my duty, and if I have err'd I only want to
 nvinced to make every apology that can be desired ; but if
 explanation is wanting on my part, I am willing to give it to
 officer you will honor me to depute, which may bring about a
 nciliation for the good of His Majesty's service, and is what
 st ardently desire.

1803

15 May.

Actuated by
 desire to
 serve
 Govern-
 ment.

Short
 suggests a
 way out of
 the
 difficulty.

He offers to
 apologise.

I have, &c.,

JOSEPH SHORT.

RIGHT HON. C. F. GREVILLE TO THE RIGHT HON. WM.
 WINDHAM.

Dear Sir, Paddington Green, 19th May, 1806. 19 May.

I send this by Lieutenant Barrallier, of the 90th Reg't
 r orders for the W. Indies. He is very desirous to receive
 re his departure the ballance due to him as Engineer to the
 y of N. South Wales. I have seen Mr. Chapman, who knows
 eriod to which Mr. Barrallier was paid, and he stated that
 uestionably his salary could not be refused to the date of his
 rkation for Europe ; and I beg to state to your consideration,
 it will appear in your office, that Mr. Barrallier came Home in
 and of a detachment of the S. Wales Corps, and on the appli-
 n of Ld. Buckinghamshire to the Commander-in-Chief, Mr.
 allier was allowed leave of absence from duty till the ship
 nted to N. S. Wales should sail, that he might pursue his
 es in mathematicks and astronomy for more acurate observa-
 which he did at his own expence, to prepare him for the
 cution of discoveries ; and as regimental duty was found

Lieutenant
 Barrallier.

His move-
 ments after
 leaving
 Sydney.

1806

19 May.

Barrallier
appointed
to the 90th
Regiment.

incompatible with the station of Engineer and Surveyor, it was suggested to him that he should resign the commission in the reg't, and that he should be recommended to Earl Chatham for a commission in the Engineer Corps. This not being effected, it became impossible for Mr. Barrallier to give up "Army rank" for a Colonial and temporary office, and he, therefore, solicited from the Commander-in-Chief promotion, and was appointed lieut't to the 90th Regt. There being no doubt of Mr. Barrallier being encouraged by the Sec. of State to employ his time in England for his improvement, as it will appear in your office that there were no instruments belonging to the colony, and that Mr. Barrallier had provided himself, a sett of instruments were order'd, such as would suit his future service, and they were made, and at the period Gov'r Bligh embarked, Mr. Barrallier was informed that he was not to go, and the instruments were taken out by Cap'n Bligh, and, except the Gov'r, I do not believe there is now in the colony any person capable of using them.

Reference to
Mr. Chap-
man.

Mr. Chapman being perfectly acquainted with the particulars of what was due to Mr. Barrallier when he left the colony, I hope you will think it right to continue his pay of surveyor at least to his arrival in England.

Barrallier's
discoveries.

The surveys in the office and the discoveries inland having been made near 100 miles further than by any other officer in the colony, and the various extra duties of architect, constructor of the first vessel built at the colony, and the disappointment of being established with Army rank in the colony, will, I hope, make you act with all the liberality which is consistant with propriety and rule towards a young man of talents, who has no other fortune, and is now proceeding to the West Indies as a subaltern.

The early departure of Mr. Barrallier makes me request you to give immediate orders to Mr. Chapman to settle with Mr. Barrallier as you may direct.

I am, &c.,

C. F. GREVILLE

W. MAUM TO VISCOUNT CASTLEREAGH.

26 May.

My Lord,

Norfolk Island, 26th day May, 1806.

A convict's
appeal.

An unfortunate young man, who has now spent seven years* in the most abject servitude and wretched bondage, and who has never rec'd an official sentence, humbly solicits your Lordship's humanity to compassionate my wretchedness, and to extend to unfortunate Maum a portion of that benignity which has ever distinguished your Lordship.

Testimony
of officers.

I need not recapitulate to your Lordship the memorials of Lt-Gen'l Myers or of Col. Thos. FitzGerald in my favor prior to my banishment, and the deposition of Thos. Harding, Esq., of Cork,

* Maum probably arrived in the Minerva with (amongst others) Joseph Holt, the Reverend Henry Fulton, and Father Harold.

be transmitted to the Castle of Dublin. Lt.-Gen'l Myers
ly informed me in Cork that on my arrival in New South
[should enjoy all the immunities and privileges of a British
under certain regulations, which, indeed, was the case
the lenient administration of Governor Hunter. But, now,
the scene is changed. I have been always by Governor
marked out as a proper person to bear the infliction of his
s and torture. In consequence of his suspicions that I
to some persons in power relative to his conduct in this
y, he has banished me from settlement to settlement, and
actually goading me in expectation that I may commit some
which may induce his summary vengeance. But in this
tion he is deceived, as I am determined that my first
shall be my last.

1806

26 May.

Alleged
severities
King.

cause of his having banished me to this island I shall briefly
o your Lordship. Governor King having, at the interces-
Mrs. King (his lady), granted an unconditional pardon to
and Meurant,* the two notorious forgers on the Irish Bank
, and whose lives were saved on the express conditions of
eing transported for life, incurred much censure for his
t, as these men were never in the employ of Government
their arrival, nor were they in any degree instrumental in
uting to the welfare of the colony, and were solely employed
ing jewellery, trinkets, &c., for Mrs. King, Meurant in
lar having made her a present of a necklace to the value of
. Their pardons excited much general surprise, as their
behaviour could not entitle them to such eminent dis-
; and some papers being written on the subject, he
d the blame to Sir Henry Hayes and me, in consequence
conversance with Irish affairs, and without enquiry ordered
his island. After we had remained here about a month, he
hed the Buffalo to Norfolk with directions to Captain John
administering the Government of this island (a gentleman
character stands unrivalled in New South Wales, as under
ministration a well-conducted man is secure of protection,
s not the case, I assure your Lordship, at any other part
territory, where the baneful influence of Governor King
y) to separate Sir Harry and me, by dispatching him to
alrymple and detaining me here, thus expecting that Sir
if unconnected and detached from me, could not afford
lardwicke or Sir Wm. Grant the necessary information
to this colony; but the winds proving adverse, the
, after encountering many storms, was necessitated to put
rt Jackson without perfecting Governor King's intentions
to Sir Henry, whose sufferings are incredible. My Lord,

The cause
of Maum
being sent
to Norfolk.

Two convict
jewellers.

Piper's
character.

Hayes and
Maum
separated.

less these are the two men mentioned by Holt as transports on the Minerva
vol. li, p. 46). He spelt their names "Austin" and "Marong."

1806

28 May.

A receiver
of stolen
property.

A charge
against
King.

John Harris.

A charge of
cruelty to a
soldier.

I shall quote one instance out of many which will ever affix an indelible stigma of infamy to his character. A convict named J—— P——, formerly a resident on Saffron Hill, notorious for being the most distinguished receiver of stolen property on the annals of Bow-street, had been sent out here in the ship *Admiral*, and came laden with every kind of stolen goods. By his well-applied largesses and unbounded bribes of watches, chains, earrings, &c., he was privileged, and received every immunity, and being possessed of some superlatively fine lace, formerly the property of the Marchioness of Salisbury, which had been stolen from her and by him purchased, he considered it as an acceptable *douceur* for the Governor's lady, and received in return an emancipation, with a promise if he persevered in *his good conduct* to receive an absolute pardon in a short time. For this desirable privilege he was determined to evince his gratitude by bestowing on His Exc'y a very curious watch of immense value, which had been stolen from Count D'Artois. But Meurant's business on its transpiring terrified the Governor in such a degree that he was apprehensive on his return to England Sir Wm. Ford may pay him a visit for the watch, information having been sent to Sir Wm. relative to the circumstance, and thus P—— lost his pardon, and the Governor obtained infamy without profit. Thus, my Lord, is His Majesty's mercy bartered away in this colony to the undeserving, whilst the poor man, whose propriety of conduct is unexceptionable, must labour unpitied and neglected. In short, my Lord, it's impossible to pourtray in sufficient striking colours the turpitude of his administration and the glaring infamy of some of his dependants, particularly that of John Harris, surgeon to the New South Wales Corps, whose strict attendance to the execution of Governor King's orders for flagellation occupy him to such a degree as to prevent him affording any medical or surgical attendance to His Majesty's troops. A statement has been made to Col. Clavering of the case of a brave soldier who died in Port Jackson for want. I shall trouble your Lordship with an account of this lamentable circumstance. Josiah Bampkin, formerly a private in the 56th Regt., and who had been severely wounded at the battle of Alkmaer, in consequence was to have been discharged and sent to garrison duty, and he, preferring foreign service, volunteered in Cork for the New South Wales Corps. His health began to decline, and he was put into the hospital in Port Jackson, where he languished for three months and died; and during that space it can be clearly proved that Dr. Harris never *once* visited him. Milk was the only diet that the poor man could make use of, and to obtain this from Quarter-master Laycock, he sold his weekly ration for 3s., which sum could only purchase him four quarts, and as to his pay, he being in debt could not draw the entire. The hospital books can this day prove the time of his

admission, that of his death, and what he received. This is the manner in which His Majesty's service is conducted in this territory, remote from the vigilant eye of administration. 1806
26 May.

My Lord, there is no country in the world susceptible of greater improvement, or any that offers more advantages to the parent country than New South Wales, if trade and agriculture were encouraged, and in a very short time it may [be] rendered independent of expenses to England, if it chances to be governed by an officer who will make the laws of Great Britain the directors of his conduct, and whose spirit will mount above the low and ignoble traffic which disgraced Governor King's administration. With regard to the investments sent out, every species of peculation was practised on them. A land of
promise.

* * * * *

My Lord, I have no wish to return to Europe, my strength and health being entirely exhausted, and am determined to spend the remainder of my days in this country ; and therefore should hope to have the privileges of a settler, instead of which I exist a memorial of Governor King's cruelty and wanton barbarity. Your Lordship has been incontrovertibly informed that prior to my lamented delusion no young man in the county of Cork or any part of Munster supported a more unexceptional character, both as a soldier and a citizen. General Johnson can attest my conduct as a volunteer, and Lord Shannon and Colonel Fitzgerald my private character. Secretary Cooke himself averred on my examinations that the unimpeachability of my character was unquestionable. I am confidently certain that since my arrival in this territory to the present moment, I never in any shape broke thro' any law, infringed on any territorial regulation, nor violated any orders, which I rest satisfied all the magistrates in the colony will certify. On this principle and on these terms I solicit pardon from your Lordship, that if on examination by Governor Bligh I ever in this country committed a crime, I may be for ever excluded from a participation of His Majesty's mercy. There are a number of situations here, particularly that of schoolmaster in Port Jackson, which is not filled, to which, if your Lordship would order me to be attached, I would be enabled to spend the remainder of my days in tolerable comfort, and would exert every talent to instil into the minds of the rising generation principles of morality and subjection to legislative authorities. I have written to Colonel Sir T. Fitzgerald, as likewise to Sir Rich'd Musgrave, soliciting them to be my advocates with your Lordship. Maum
anxious to
settle in the
colony.

Evidences
as to his
character.

He solicits
a pardon.

Aspires to
act as
school-
master.

I cannot dismiss this letter without humbly soliciting your Lordship's accustomed humanity to extend a part of its influence to the alleviation of a part of the miseries under which a certain class of the Irish in this colony groan ; their persecutions by torture, executions, and every species of extermination are beyond A plea for
the Irish.

1806

26 May.

Worse off
than
negroes.

A case in
point.

Two men
hung on
Sunday.

Irishmen
constantly
in irons.

belief. The situation of the negroes in the West
thousand instances superior to their wretched lot
preparing for your Lordship's private perusal, a
of Governor King's administration, with an ann
the cruelties exercised over the Irish—not for offe
in this colony, but thro' an innate aversion to the
circumstance has taken place on this island about
which, as it has been variously related, I shall tak
afford your Lordship an authentic account. There
Irishmen at public labour on this island which wa
by one hundred soldiers and twenty-six constables.
the Irish entered into a determination of seizing
making their escape.* Their instruments of assa
knives set in poles, which, by the pusillanimous
island, were termed pikes. Major Foveaux rece
formation of the proceedings on a Saturday evening
all went to church on the following Sunday, and c
over all the Irish were ironed and put in jail, and
had a gallows erected, and without trial or exan
J—— W—— and P—— M——, and flogged
unremittingly for twenty days; and during hi
Norfolk Island never suffered an Irishman (alth
sunrise until sunset) to have his legs unshackled, c
jail. Such is the conduct which some officers ado
His Majesty's interest in an infant colony, whic
presumed will meet from your Lordship merited a

With every sentiment of gratitude to your L
kindness to me in Ireland. I have,

W

REV. HENRY FULTON TO CAPTAIN PIPER. (N

27 May.

Dear Sir,

Sydney, 27th

We arrived safe in the harbour of Port Jack
7th May, 1806. We suffered some inconveni
sickness and by a storm, which lasted 24 hours
sea-sick before. The Governor says he will allow

* According to the account of Deputy Judge-Advocate Hibbins, th
engaged in this conspiracy was one hundred; and their object was t
Governor and officers to death. Thirty pikes were found hidden an
convict J—— W—— had been sent to Norfolk Island from Port Jac
concerned there in a similar conspiracy. P—— M—— was an Irish c
life for sedition. The meeting of officers called by Foveaux to advise
to pursue, was held on 14th December, 1800. (This was a Sunday.)
their opinion that an immediate example of capital punishment shou
ringleaders. The Judge-Advocate added a note to the effect that
offenders would have been impracticable, as he was not possessed of t
—then lately passed—relating to high treason, sedition, and unlawf
of course, be understood that King had nothing to do with the h
Norfolk Island, at the time it occurred, was governed by Acting
Foveaux.

No arrivals yet from England ~~but~~ the William Pitt, the Beaver of this, & the Lucy private ship of war.

I have taken the liberty to enclose two certificates of marriage, one for Mortimer of Ball's Bay & the other for Edw. a Presby my old man. If you be so good as to send them to the people you'll oblige your

sincere friend, & humble servant. Hen: Fulton
over



or the sheep,* but he has not said what as yet. If he gives any- 1808
 thing I shall inform you the first opportunity. The Governor King 27 May.
 was wrecked at Hunter's River,† and the cargo—pork, &c., from
 Norfolk Island—was all lost except a few casks of pork, and the Fulton's
 raft was knocked to pieces. No arrivals yet from England but the sheep.
 William Pitt, the bearer of this, and the Lucy, private ship of war.

I have taken the liberty to enclose two certificates of marriage,
 one for Mortimer, of Ball's Bay, and the other for Edw'd Resby,
 my old man. If you [will] be so good as to send them to the
 people, you'll oblige your sincere friend and humble servant,

HEN. FULTON.

N.B.—Scarcity of provisions was expected here by the accounts
 which we received before I left Norfolk Island; but on our arrival
 the first news we heard was that a flood, which arose 15 feet
 higher than usual, had swept away the greatest part of the wheat
 which was reaped last harvest; so the prospect is rather un-
 favourable. Wentworth has lost all his pork [in] the Governor
 King and cargo lost at Hunter's River. When I searched the
 registry, I could not find that Resby was entered.

CAPTAIN BLIGH TO SECRETARY MARSDEN.‡

His Majesty's ship Porpoise, Simon's Bay,

Sir, Cape of Good Hope, 30th May, 1806. 30 May.

I regret that in addition to my statement and charges against Bligh
 Captain Short up to the 1st of last April, his conduct has been such as reiterates
 to oblige me again to notice an irritating and provoking behaviour, his
 together with a disobedience of my orders up to the 15th instant, at complaints
 this place, as greatly adds to his former misconduct, and demands my against
 representing it to my Lords Commissioners of the Admiralty. Short.

I had but just finished my dispatches up to the above period and Short issues
 sent them by the Alexander, transport, by way of Rio Janeiro orders to
 (duplicates of which I now transmit), when Captain Short again Jackson,
 began to send for Mr. Jackson, the master of the Lady Sinclair,
 and gave him orders not to go before the Porpoise's beam, to be
 particularly attentive to her motions, and be prepared for action.
 On the 3rd April I hailed Captain Short that as I might alter the and refuses
 course without signal, merely to steer with a full sail. I requested to obey
 Bligh.

In consequence of the short notice given Fulton of his recall to Sydney to take
 Eden's place, he was unable to dispose of his live stock. Piper recommended to Bligh
 that he should be permitted to turn his stock into the Government herds at Norfolk, and
 give an equivalent from the Government stock at Sydney.

The Governor King, 75 tons burden, was the property of the firm of Kable & Co. When
 out within Sydney Heads, on 20th April, 1806, with a cargo of salt pork from Norfolk
 Island, a heavy southerly gale sprang up, and she was driven so far to the north that she
 attempted to put into Newcastle. The anchors were dropped on 22nd April behind the
 head at the entrance (now called The Nobby's), but with the heavy ground swell they were
 little use, and she drifted stern first upon the sandy point which forms the northern
 entrance of the harbour, upon which the Francis was wrecked in a similar way in March, 1805.
 See also Bligh to Castlereagh, 1st April, 1806, ante, p. 55; Short to Marsden, 12th March,
 ante, p. 31; Short to Bligh, 15th May, 1806, ante, p. 74; Bligh to Marsden, 12th
 November, 1806, post, p. 208; and Short to Bligh, 25th December, 1806, post, p. 223.

- 1806** he would follow my motions, when he hailed me in return and said he had given the master of the Sinclair orders not to go before his beam and refused to be guided by me but by signal.
- 30 May.**
- Short threatens to fire into Bligh's ship.** On the 6th April, before sunset, owing to very unsettled weather, I made the signal (No. 252) to the Porpoise to be attentive to my motions, to which he hoisted a common pendant in defiance, and did not answer the signal which I kept flying until dark.
- On the 7th April, in the evening, the Porpoise made the signal for the Sinclair to come within hail. The master could not do that, but went on board, where Captain Short told him very harshly that if he went before his beam he would fire a shot across his bow; that if he did not then drop astern he would put fire into him; and if that did not do he would fire a whole broadside and make him keep astern as long as his guns could do.
- This was unprovoked threatening, for the Sinclair had given him no cause, independant of my being in her directing the course of the ships according to their Lordships orders of the 11th December last.
- Short's alleged artfulness.** On the 8th April Captain Short began again to write to me to do away with his conduct, and of some conversation between the master of the Sinclair and himself about parting company and rendering me accommodation. This was extraordinary art and insinuation to which I replied I should direct him what to do if necessity required a separation, but in the meantime referred him to his public orders, and admonished him for his conduct to the ship I was in.
- He persists in his claim** On the 17th April I received a letter from him dated 10th, telling me he would persist in his conduct of not suffering the Sinclair to guide him but by signal, and that he would not suffer the Sinclair to part company, artfully designing to allude to circumstances as if I had been making some requests, while he knew that I had made none and that I would not allow him out of my reach. This will be found in all his letters, more or less, and that his disobedience and insults have first taken place, and then followed up by excuses on account of the public service.
- Arrival at the Cape.** On the 9th May, in the morning, the Cape of Good Hope in sight about three or four leagues distant, and observing the Porpoise did not know it, and was proceeding to round Cape False, I made the signal for the master of the Porpoise to give him instructions, which Captain Short answered with No. 375, that the purport of the signal was not understood. I then made the signal for the captain, which was answered in the same way, but afterwards the master was sent on board, to whom I communicated the knowledge that was necessary, and wrote to Captain Short directions about going in.
- After all, I anchored on the 10th, at night, but the Porpoise did not get in until the 11th, in the evening.
- Short waits upon Bligh.** On the 12th, Captain Short waited on me at my lodgings, but refused to give me the state and condition of the ship, or to obey any orders until I went on board; and he left me abruptly. I

then sent him written orders to give me the state and condition of the ship, which he disobeyed, and afterwards began again with his letters of excuse, to which I made no reply but once verbally by the master—that as Captain Short had orders, I expected he would know how to comply with them,—which as the master did not at his request give in writing, he put him under an arrest.

1806
30 May.

Finding he would not muster me, I sent him on the 15th an order to that effect, agreeable to the Clerk of the Checque Books. From this time, it appears from some opinions he received, he came most condescendingly, and said he would comply with all my orders.

Further
disputes.

It gives me much concern to be under the necessity to trouble their Lordships with so long a detail, but my remote situation, and without power to remedy an evil of such public concern, I have felt it necessary that every transaction should lay before them, to show that any other representation cannot be founded in truth or honorable principle.

Bligh
unwilling to
trouble
Admiralty.

I have had my public quiet very much disturbed in the midst of ill health by Captain Short, and I hope their Lordships will see the just cause to remove him from under my command.

I have, &c.,

W^m BLIGH.

Having written to Captain Short to inform me who he had appointed as agent to the Danish ship Three Sisters, which I had detained, I received the letter (A) from him, with "Private" written at the beginning, which by some means came too late to be noticed in the body of this letter.—W.B.

A private
letter from
Short.

[Enclosure A.]

[*Private.*] CAPTAIN SHORT TO CAPTAIN BLIGH.

Sir, Her Majesty's Ship Porpoise, 22nd May, 1806.

I received your letter of the 20th instant, by which I observe you mean to claim prize money for the Danish ship detained the 14th instant. I beg to say, by the rules of the Navy, you not being mustered on this ship's books on that day appears to me to give you no claim; but if agreeable to you, sir, it is my wish to have it decided by any respectable gentleman who knows the rules of the Service—for instance, Messrs. Maude, Robertson, and Hopley—unless any post captain may arrive, as I think this the most honorable manner of settling it to both parties. I am acquainted with the circumstance of Captains Hunter and Waterhouse having commanded the Camel present on that occasion; but those officers were both on board and mustered. Be certain any new circumstance arising to widen the breach already made between yourself and me will on my part be carefully avoided. My former letters will point out how much my wish has been to have it closed, and once more to meet as friends, which I think might be done with honour to both parties

A claim for
prize
money.

Short
anxious for
reconcilia-
tion.

1806

30 May.

Short is
willing to
withhold
letters to
England ;

but will not
shrink from
Court-
Martial.

could an explanation take place, which I still think ~~can~~
accomplished provided we both withheld our letters to
Admiralty and Secretary of State's office on the subject.
sir, you do not think I mean to dictate—far from it ; ~~but~~
meets your approbation I give my word and honor as ~~and~~
that I shall feel myself happy in meeting your wishes. If,
contrary, our letters goes to the Admiralty, it most likely ~~will~~
decided by a Court-Martial, when I shall, as far as the
Service authorizes me, insist on meeting my accuser face to
when I trust my proceedings will appear to my judges as ~~four~~
on the strict rules of the Naval Service, and in support of the ~~honour~~
of His Majesty's ship having a convoy under her charge. Be ~~cert~~
sir, if I can with honour and comfort to myself and family, it ~~is~~
wish to give up the command of this ship at Port Jackson.

* * * * *

I beg to conclude, sir, by saying that as any further proceedin
rests with you, I have to request your answer, as the packet f
St. Helena, I understand, will only wait two days in False Bay
I have, &c.,

JOSEPH SHORT.

LIEUTENANT-COLONEL FOVEAUX TO CAPTAIN PIPER.*
(Norton Papers.)

[Extract.]

1 June.

The
evacuation
of Norfolk
Island.

Dear Piper,

London, 1st June, 1806

I have not been able to write to you since Grimes left thi
Feb'y last. I have had a very severe illness, which has confined
to the house for four months. An augmentation of the Corps i
agitation, but when it will take place it is impossible to tell. ~~I~~
final arrangements are settled concerning Norfolk, and I am to
ceed by the first opportunity to put them in force, so you may ex
me every day. My stay with you will, I believe, be very sho

* * * * *

Believe me, &c.,

J. FOVEAUX

CAPTAIN ABBOTT TO GOVERNOR KING. (King Papers.)

2 June.

Discovery of
Joseph
Holt's
private still.

Sir, Parramatta, Monday Morning, 2nd June, 1806

Last night the light-horseman on duty here brought H
servant, Edward Drum and John Healey, having found
prisoners in the very act of distilling that even'g at a place ca
Jerusalem.

Being after hours, I declined entering into the business till
morning, wishing as well to see the spot, from whence I am
returned. Never was a place better selected and more se
than it. The whole of the apparatus I have got. There was fo

* Captain Piper, at the time this letter was written, was Commandant at Norfolk I

about half a gallon of the new liquor, and seven casks, containing about 300 gallons of wort. Holt has ackn'ged the material, &c., to be his. He has given me information where there are several others, and this night promised to put me in possession of one which he thinks is now at work. I have committed all the parties concerned for further examination, knowing that to-morrow I should have the assistance of Mr. Marsden. Holt remains at liberty till to-morrow.*

1806

2 June.

I send your Excellency a pint of the liquor by Martin, the light-horseman, who, with Hinder, have all the merit of the discovery, and refer your Excellency to the former for any further information you may find necessary to ask on the subject.

I have, &c.,

E. ABBOTT.

ILLICIT DISTILLATION. (King Papers.)

4 June.

Cumberland } This day came before us, two of His Majesty's jus-
to wit. } tices assigned to keep the peace for the said county, Discovery
of an illicit
still.

James Martin, private soldier in the New South Wales Corps, being duly sworn, deposes that he had an information given him last Sunday where he should find a still†; that he told John Hinder, his comrade, another soldier here on duty, of it; that thinking they would not be sufficiently strong, should any opposition be made, Hinder ask'd John Milton, a constable, to go with him; that accordingly all three, about half-an-hour after sunset, went to the head of the creek, back of Barrington's farm, and, after searching for some time, they came to the spot, and there found a still at work, at which place was also found seven casks of wort and an iron pot containing about two or three quarts of the new liquor; that Richard Doyle and Edward Drum were caught in the cave, with the still, &c.; and that another man who was there made his escape‡; after which, about 50 yards from the cave, Mr. Holt and John Healey, who were going towards it, were stopped by the deponent, and that the deponent and his comrade brought all the parties concerned to the barracks, having left John Milton in charge of the place. The deponent adds that it was not till the second time that he went to the cave the distilled liquor was found. He further states that John Healey, who was in company with Mr. Holt, had a sogee (*sic*) bag, in which was a small cask.

* Holt thus describes, in his *Memoirs* (vol. ii, p. 276), the interview with Captain Abbott: "Upon our appearing before the Major he demanded of Oakes, the head constable at Parramatta, how he dared to bring me at that hour and in that manner as a prisoner. 'You know very well,' said he, 'that Mr. Holt would have come in the morning.' 'I certainly would have done so, Major, if ordered,' was my reply. 'Well,' said he, 'go home, and come in to me at 9 o'clock to-morrow morning.'"

† According to Holt's account (*Memoirs*, vol. ii, p. 275), this information was given by William Cummings, then late a lieutenant in the New South Wales Corps.

‡ According to the account Holt gives in his *Memoirs*, vol. ii, p. 276, the man who escaped was his (Holt's) son.

1806

4 June.

Evidence
of the
discoverers.

The still and kettle and worm now produced before the Bench Martin swears they are the same which were found at the cave.

John Hinder, private soldier in the New South Wales Corps, being duly sworn, corroborates the evidence of Martin. He also swears that the still, kettle, and worm which was produced before the Bench is the same which were found in the cave.

John Milton, constable, being sworn, corroborates the evidence before given, from the time of Martin first going out in search for the still till they came in the first time to the barracks.

Mr. Holt admits the still to be his, and that he is the proprietor of the same. That he is sorry for the offence he has committed.*

Taken before us, 4th June, 1806.

S. MARSDEN.

E. ABBOTT.

SOME Remarks on the Present State of the Colony of Sidney, in New South Wales, and on the means most likely to render it a productive, instead of an expensive, settlement.†

4th June, 1806.

The origin
of the
settlement
at Sydney.

THE colony of Sidney at its first establishment may not inaptly be compared to a new-born infant hanging at its mother's breast. It deriv'd its whole nourishment from the vitals of its parent, and the exhaustion it occasioned was not unfelt. In this state it was tolerated only because no other expedient could be devis'd for disposing of those malefactors whom the policy of this country found it necessary to expel from society, and whom the American States, from an ill-consider'd pevishness of disposition, refus'd at that time to receive, as they formerly had done.

A com-
parison.

Its present state may be compar'd to that of a young lad beginning to attain some learning, but, between the intervals of his schooling, gaining by his industry part of his necessary maintenance, and certain of soon becoming a blessing, instead of a burthen, to his family, if a little attention only is given to the direction of his talents and the advancement of his worldly interest.

* Joseph Holt, in his *Memoirs*, vol. ii, p. 273, admitted that he knew he was breaking the law; "but," he remarked, "as I had sustained so much loss by being innocently sent away, and as no offer of remuneration had been made to me, I did not consider that it was any great crime for me to make the most I could of the produce of my own farm." According to the *Sydney Gazette* of 8th June, 1806, the locality was known as the "North Rocks." Holt says that the spot was called the "Rocks of Jerusalem," situated at a little distance from his house, at Mount Hester, which was up the creek about 1½ mile from Parramatta. Holt himself was ordered to find security in £200, self, and two securities in £100 each. Healy and Doyle, Holt's assigned servants, were sentenced each to receive a corporal punishment, and to be sent to Castle Hill. Compare Holt's account of the circumstances which led up to, occurred at, and followed his examination before the magistrates, as given in his *Memoirs*, vol. ii, p. 272 *et seq.*

† The manuscript from which this statement is printed is in the handwriting of the clerk or private secretary of Sir Joseph Banks. It contains, however, numerous interlinear and marginal corrections in Sir Joseph Banks's own handwriting and is initialled by him. At the time when it was written, much dissatisfaction was expressed by, and on behalf of, wealthy merchants and shippers at the restraints placed upon traders to Australia by the East India Company's charter. See Captain Wilson's letter of 27th June, post, p. 160, and Banks's remarks, post, p. 107.

r in Blackstone which declares that a Briton inherits as his right the constitution of England, and carries this inheritance with him to every new country he may think fit to settle in.

soon as this notion enters into his mind, he will call out for the enjoyment of municipal rights. He will soon obtain the privilege of a representative assembly, and with it the right of legislation. From that moment he will demand what he has a right to claim—the benefit of the Act of Navigation—and in the future be restrained in the article of shipbuilding, and the enjoyment of that proportion of commerce which our colonies enjoy, by no other means than by the operation of the East India Company's charter, which, if enforced upon him, will either drive him to piratical enterprise or induce him to hazard a trade with other nations in preference to his mother country.

In his situation it is surely necessary to treat him with no small degree of kindness and attention. He is certainly *non sine diis* *non infans*.^{*} The moment the seal fishery opened itself after the discovery of Basses Straits, a large number of men entered into it with spirit and activity; the representation of Mr. McArthur respecting fine wool proves that speculation in future advantages are carried much further at Sydney than European judgment will justify; and the article of *trepang* it has been many weeks discovered on the southern reef, in consequence of the wreck of the Porpoise, when suggestions were made of the propriety of opening an intercourse with China for the benefit of the colony with Chinese manufactures by the sale of opium at Canton.

The project certainly ought not to be encouraged. The whole of the colony, either in consumption or in produce, should be directed, as far as possible, to the mother country; and this may

National
rights.

Growth of
Colonial
enterprise
and trade.

England and
her colonies

1806

4 June.

coal trade, the production of fine wool, the collection of sandalwood from the Feegee Islands, the fishery of *trepang* on the reef near New Caledonia, and, in a much more distant view, the south whale fishery.

The seal
fisheries.

The importance of the seal fishery is yet little understood. All seals produce oil and skins of some value. A certain portion of the seals of the southern hemisphere, called fur seals, have under the shaggy hair with which they are cover'd a coat of wool almost as fine as that of the beaver, and much more valuable than that of the rabbit. This, by the invention of a Mr. Chapman, can be separated from the hair that covers it and converted into a most valuable raw material for the hat manufactory, and possibly a more advantageous article to the revenue when employ'd in that trade than any other of equal value.

The hat
trade.

The fur of this seal will, by coating over the sheep's wool bodies of which hats are made, convert them into what the hatters call fine plates, each of which pays a duty of two shillings or three shillings to Government. A seal, when worth ten shillings, will cover three or four of these bodies, and they clearly will produce to the revenue as much as its sale price to the fishermen, which it is presumed no other article will do.

Other uses
of seals'
skins.

More of this kind of wool would be us'd in the manufacture of hats if a greater supply of it could be obtain'd. At present the makers of shawls and other fancy draperies purchase a part of the stock at a high rate and convert it into various elegant and expensive articles—one of which is a cloth, not a little resembling the *drap de vigogne*,* and sold almost as dear. But the fur is not the only valuable produce of the seal fishery; it is from one species only that fur can be obtained, but every species, and the sea-elephant in particular, produce oil in abundance, and skins fit for the tanner.

Abundance
of seals.

The island of Van Dieman, the south-west coast of New Holland, and the southern parts of New Zealand, produce seals of all kinds in quantities at present almost innumerable. Their stations on rocks or in bays have remain'd unmolested since the Creation. The beach is incumber'd with their quantities, and those who visit their haunts have less trouble in killing them than the servants of the victualling office have who kill hogs in a pen with mallets.

American
and French
adventurers.

While this is the case the utmost encouragement should be given to those colonists who will embark in search of the seals. They are at present, from their accumulated number, an object of speculation to every nation that has ships. The Americans have lately visited Van Dieman's Land and kill'd great numbers of them. During the short interval of peace a sealing vessel was fitted out from the Isle of France for the same purpose to Basses Straits.

These distant speculations, however, cannot be advantageous to foreigners. After the seals have been once effectually disturb'd • 1806
their diminished quantities will not then afford sufficient encourage- 4 June.
ment to induce Americans or Frenchmen to interfere with our —
colonists ; but there can be no doubt that at all times hereafter A per-
seals will be attainable in great quantities—as is now the case in manent
Newfoundland—by stationary fishers, who know the courses they industry.
take in their migrations, and can intercept them in their progress
by nets and other contrivances. Thus, if we encourage our new
settlers to disturb as speedily as possible every seal station they
can discover, we shall receive from them an immense supply of
skins and oil, in the first instance ; shall prevent the interference
of foreign nations in future in the sealing fishery ; and secure to
ourselves a permanent fishery hereafter, because it will be carried
out by means which none but stationary fishermen can provide.

On the subject of fine wool little need be said. Government The prospect
here seem inclin'd to believe that a very few years will produce a of the wool
very large increase of the small number of merino sheep which trade.
Capt. Waterhouse purchas'd of Mrs. Gordon, at the Cape, and
carried to Port Jackson ; in fact the herbage of the colony is by
no means so well adapted to the sheep farming as that of Europe.
The progress of the flock will, therefore, be slow ; but as the true
merino breed will certainly retain the superiority of their fleeces,
and produce wool worth six shillings a pound at the least when
wash'd and scour'd, or six hundred and seventy-two pounds
sterling a ton, there can be no doubt that it will bear the necessary
charges of freight, insurance, &c., and become in due time a profit-
able article of investment for a cargo from Port Jackson to London.

During the time while the seal fishery continues to give great
profit, as must be the case till the rocks of Van Dieman's Land
and New Zealand have yielded their maiden harvest, it does not
seem necessary to encourage materially any other kind of ad-
venture. The fishing for *trepang*, which cannot be sold but in Trade with
China, may safely be discourag'd at present, and consider'd as a China to be
reserve for an increas'd population and diminish'd resources. discouraged.
Whenever the colony may hereafter resort to it, the East India
Company will, no doubt, send an annual ship to take off the
quantity procur'd, as it will by so doing supply themselves with
an investment for China of as certain a sale as silver, and at the
same time preclude all pretence of the colonists to carry it to
Canton in their own vessels.

The collectors of sandal-wood should be encourag'd, as the Sandal-
Americans will certainly obtain every pound of that valuable wood.
article which our colonists neglect to procure. Its high price, how-
ever, will amply provide for the cost of sending it to England,
where the East India Company will find it in their interest to
purchase it at rates very advantageous to the original shippers.

1806

4 June.

Coals for the
Cape.

It will clearly be expedient to promote a trade in coals between the colony and our new acquisition at the Cape. At present coals may be brought to the Cape by ships sent to New South Wales for that purpose, which will be found a much more economical mode of supply than sending coals from England, as was done when the Cape was last in our hands. Thus, if a proper trade is set on foot, and encouragement is given to the colonists by allowing the entry of new articles from thence into the United Kingdom without charging upon them the exorbitant and impolitic duty now levied on all unrated goods, a supply of cabinet woods for veneers, dying stuff, gums, and many other useful raw materials will, by degrees, find its way to the mother country, while the collecting of them will give ample encouragement to the industry of the stationary inhabitants, their children and servants.

The Colonial
vessels.

At present the colonists have very little craft of any kind, nor ought they to be allowed any increase till regulations respecting the size of their vessels and the limits within which they may be allow'd to navigate have been sanction'd by His Majesty's Ministers, and agreed to by the directors of the East India Company. This cannot be a difficult task, as the colonists have no possible claim to visit lands within the limits of the Company's charter north of ten degrees south latitude, nor the Company a just reason for withholding from them the privilege of going thus far. They will by this arrangement be effectually restrain'd from all intercourse with the colonies of Europeans in the East Indies, tho' permitted to visit every part of the immense continent to which they are destin'd in due time to give a British population.

An
indulgence.

This indulgence will at once put the colony on a most respectable footing in point of navigation, enable the colonists to be usefull to themselves, and in time advantageous to their mother country; and it will, by enabling them to be honest traders, remove all hazard of their becoming pyrates, the fear of which seems to haunt the Court of Directors so continually.

The
monopoly
the East
India Com-
pany.

A concession on the part of the East India Company, so honorable and so liberal in the first instance, will destroy at once all the obliquy arising from the unreasonableness of a monopoly excluding any of their fellow subjects from seas in which themselves have no reason to navigate, and a continent they have no wish to explore—a conduct for which they are now daily and hourly reproach'd; while it will justify in the eyes of all mankind the most rigorous exercise of their right to confiscate ship and cargo, in case any colonist should hereafter be so imprudent as to pass the limit of the vast area given up to him for the exercise of his talents and the employment of his commercial capital. It will give an opportunity to our countrymen to occupy in succession every desirable situation which might tempt other nations to colonise and lay the foundation of a claim which the lapse of time may hereafter mature.

GOVERNMENT AND GENERAL ORDER.

8th June, 1806.

8 June.

His Excellency has been pleased to sign a commission appointing
 Mr Atkins, Esq., Captain Commandant of the Sydney Loyal
 Association, in the room of the late Thomas Rowley, Esq., deceased.
 That the military make any seizure of spirits, either on
 shore or afloat, or removing from one house to another without
 a warrant, it is to be reported immediately to the officer of the day
 ; who will make his report to the Governor or officer in
 command, when the legality of the seizure will be decided on by
 the Advocate-Genera, commanding officer of the military being a
 Justice of the Peace and another magistrate ; and until their decision is given,
 the spirits are to remain under the charge of the officer or sergeant
 of the guard.

Atkins,
 Captain of
 Loyal Asso-
 ciation.

Seizures of
 spirits.

PUBLIC NOTICE.

8th June, 1806.

Through the inattention of several of the inhabitants to keeping their
 fences in repair, much inconvenience has been at different times
 occasioned by their neighbours, whose gardens have been injured
 and waste by the trespass of stock owing to the above cause.
 In consequence thereof, I am instructed by His Excellency to
 call on all and every person or persons residing within the town-
 of Sydney to respect the following orders :—

Delapidated
 garden
 fences.

That all such fences as come into the public street or road
 shall be kept in good repair by the holder of the allotment,
 whether by lease or otherwise.

Fencing
 Regulations.

That as the houses are regularly numbered, it is the duty
 of the holder of No. 1 to fence in both to the right and left, and
 the holder of each successive allotment to fence in his said
 allotment on that side the number of which is higher than his own.

Dividing
 fences.

1806

8 June.

whereby it is clearly understood that the right of fencing next the public road must be with the lowest number, totally independent of the separating fence between that and the next highest.

Enforcing
the
Regulations.

And it is His Excellency's strict injunction that, in case of inattention to the above requisition, the holder of the allotment shall and may be dispossessed thereof, if he has no lease of the ground his premises are on ; and those neglecting this Regulation who hold their allotment by lease will be compelled by due course of law to comply therewith, as a measure highly necessary to the preservation of the gardens of those who have sufficient industry to cultivate them.

By command of His Excellency,

J. HARRIS,
Superintendent of Police.

JOHN MACARTHUR TO GOVERNOR KING. (Colonial Secretary's Papers.)

10 June.

Parramatta, New South Wales, 10th June, 1806.

Macarthur's
commercial
and
agricultural
invest-
ments.

THE undersigned memorialist respectfully begs leave to state that, having established himself in this colony for the express purpose of uniting such commercial objects with his agricultural undertakings as may best enable him to prosecute the latter with vigour and effect, he for some time has entertained an idea of sending a vessel amongst the Feegee Islands, the Friendly Islands, and others within the limits of this territory, to collect the various valuable articles of trade with which they are said to abound.

A vessel
purchased.

For that purpose the undersigned has lately purchased a brig and entered into engagements with a respectable and intelligent young man (a member of the Missionary Society), who, from having resided many years amongst these islands, is well acquainted with the language, customs, and manners of their inhabitants.

Sandal-wood
from Fiji.

The recent and successful experiment that has been made by a Mr. Chase, the master of an American ship* now in this port, has proved that the Feegee Islands abound with sandal-wood, and from the little difficulty with which Mr. Chase collected one hundred and twenty tons of that valuable commodity, it is to be feared that other Americans and foreigners may follow his example and reap the first and last fruits of so profitable a trade unless speedy and energetic measures are adopted to secure it exclusively to British subjects.

Macarthur
proposes to
embark in
island trade.

It is with this intention that the undersigned proposes to send his brig off with all possible despatch, and he humbly presumes that your Excellency will, for the reasons he has had the honor to detail, consider him deserving the approbation of Government and be disposed to grant him such support, and to favour him with such supplies of naval stores as may enable him to proceed toward

* The Criterion, a Nantucket vessel of 220 tons.

jects of great and just solicitude to your Excellency, and public
is upon these public grounds only that your favour is en- grounds.
l, he confidentially yet respectfully hopes that it will not be
ld from him.

the undersigned has been informed that it was Captain Exploration
rs's intention to survey the Feejee Islands (which have of Fiji.
to been but little known, except that their navigation is in-
and dangerous), should the exploring them and connecting
by a regular survey still be a desirable object to Government,
Excellency's memorialist begs leave to offer accommodation
rd his vessel for any officer or person that your Excellency
e pleased to send; and to give him authority to use the brig
at purpose in every manner that may not be absolutely
ental to the mercantile part of the enterprise.*

JOHN MCARTHUR.

PROCLAMATION.†

14th June, 1806.

14 June.

EAS, notwithstanding the repeated Orders and the conviction illicit
eral persons employed in distilling a pernicious spirit, and distillation.
esent exigence for want of grain, yet it has appeared before
h of Magistrates that a quantity of maize, wheat, and other
has been malted for the purpose of distilling: I do hereby
y forbid any person or persons whatever using any grain Grain for-
destructive a purpose; and do hereby direct and require bidden to be
very person convicted thereof before a Bench of Magistrates used.
d in the penal sum of four hundred pounds sterling, and Heavy
oned for the term of six calendar months in the county penalties.
xclusive of all other penalties for distilling spirits hitherto
bed.

person under sentence of the law offending herein will
such punishment as the magistrates may award.

to be the full force and effect from the

1806

LIEUTENANT-GOVERNOR COLLINS TO VISCOUNT CASTLEREAGH.

Hobart Town, Van Diemen's Land,

17 June.

My Lord,

17th June, 1806.

Supplying
Hobart with
stores.Stores re-
ceived from
Sydney.Kangaroo
flesh.Grain from
Sydney and
Norfolk
Island.Damaged
flour.

An opportunity shortly opening of communicating with your Lordship, I think it my duty humbly to submit to your Lordship the necessity of my being supplied with provisions and cloathing direct from England, and not to be left dependent for those articles upon Port Jackson. His Excellency Governor King with every anxious wish to provide to the utmost of his ability for our support when he found that care was left to him, has from time to time sent hither such supplies of provisions (cloathing wholly out of his power) as his resources afforded; but I am concerned to state that although the quantity may have been sufficient yet the quality has been such as to render the greatest part of inadequate, and—after it has been condemned by survey as unfit to eat,*—such has been my situation, that I have been compelled though very reluctantly, to issue a part of it to the people. The country itself has fortunately for us enabled me to find some substitute which I could issue in lieu of the damaged meat, and without which we must (after killing our stock) have been driven to the greatest want. By receiving the flesh of kangaroo and emu into the public stores and issuing it as a ration (2 lbs. of the fresh meat for 1 lb. of salted) from such as, having proper dogs were enabled to hunt and kill them, I have hitherto had it in my power to furnish the settlement with a small weekly supply of fresh animal food. Some expense has been unavoidably incurred to allow me to accomplish this end, but your Lordship may be assured I have adopted the most economical means that were within my reach. In the article of grain we have suffered much for after the expenditure of the flour which came out with us (than the which none could be better) we have mostly lived upon such supplies as could be obtained from Port Jackson or Norfolk Island, which have been far inferior to what we formerly enjoyed and which have never been sufficient either in quantity or quality to allow me to issue the full ration as directed by the Treasury. A great loss has been sustained on each of the articles of flour, wheat, and maize received from the above places. The flour which came from Norfolk Island being packed in cases made of green pine, and wetted in the passage from the shore to the ship, sustained a loss of eighty pounds in† pounds; the wheat was light and half destroyed by the weevil; and much of the maize was musty, and nearly unfit to issue but to the stock. Of the latter article, however, I have issued the last bushel, the other being also expended, and all my dependence now is upon a small

* From King's letter to Castlereagh, of 27th July, 1806 (post, p. 114), it appears 16,000 lb. of salt pork sent from Norfolk Island to Hobart Town was so bad that it had to be condemned. King replied to Collins's statements on 9th December, 1807, post, p. 381.

† Blank in the MS.

quantity of wheat and barley which I grew the last season at Newtown, where I have established the Government farm.

1806

17 June.

I have for these five weeks past been in anxious expectation of the arrival of a vessel from Sydney with a small quantity of flour and barley meal, but the weather of late has been so tempestuous that I fear some accident has happened to her. I received the information of this intended supply by a whaler from Port Jackson that brought me some salted pork, and a part of the articles conveyed to my care by the ship William Pitt.

Supplies expected from Sydney.

Advantage of making Hobart a port of call for English ships.

The whale fishery.

Arrival of a whaler.

Collins waiting for supplies.

Public labour impeded.

This leads me to observe to your Lordship that the William Pitt and all other ships proceeding to Sydney by the way of the South Cape of New Holland must pass this port, where, if they were directed to touch, they might deliver such people, provisions, and stores as might be intended for this settlement, and where they would meet with such refreshment as coming from such a long voyage they might stand in need. It may perhaps be unknown to your Lordship that, in this season of the year, this river and the adjoining bays abound with the black whale, on which fishery there are at present three ships employed in our harbour. From these, as they have only put in here from an unsuccessful voyage on other coasts (the ship from Port Jackson excepted), I have not been able to procure any supplies of provisions; but, my Lord, might not provisions, stores, and people be sent to me direct from England by such whalers as might be designed by their owners to fish in this part of New Holland? In the month of September last a ship belonging to the house of Enderby arrived in Adventure Bay after a very short passage from England, the master of which came up in his boat, and I then found that I had to regret the loss of so favourable an opportunity of receiving supplies. As some iron and other articles which were included in a demand made by me, dated 4th March, 1804, and forwarded in His Majesty's ship Calcutta were received at Sydney by the William Pitt, I am induced to hope that the other ships which were daily expected there in April last, may contain the supplies of every kind which I so anxiously look for. But, my Lord, several months may elapse before they can be sent me from Sydney, as the Governor has in general none but small vessels that he could employ to bring them down, and having other settlements to supply, we cannot have or expect more than our share of his attention in this respect. The most painful part of these disappointments and delays, and the necessity that has existed for victualling the people upon worse than merely a reduced ration, is the impediment thrown thereby on the public labour, and the temptation that is furnished to the evil disposed to rob and plunder whatever they can lay their hands on, of which description there are in this settlement too many who are ever lying in wait to exercise their industry, particularly in seasons of distress.

1806

17 June.

Collins's
difficulties.Neglected
by the
British
Govern-
ment.

The ration.

Total num-
ber of per-
sons on the
store.The state of
public
labourers.Twelve
months'
supplies
necessary.

From the hour of my landing here it has been my wish to fulfil the duties of the important trust with which His Majesty has been pleased to honor me; but, my Lord, I have had to encounter difficulties that could not have been in the contemplation of the noble Lord under whose auspices the settlement was established, since I had his assurance that my numbers should be increased and my wants regularly attended to; nor could I have supposed it possible that I should, after having been three years and upwards from England, have been so totally unnoticed.* I have been two years and four months in this settlement, which, from its local advantages of soil and situation, I then confidently hoped would in a few years have rivalled the principal establishment. That hope is, however, now thrown at a greater distance, and, without our numbers are increased, and better food supplied to the inhabitants, can never be realized. The number of whole rations which have been issued from the public stores since our landing has fluctuated between four hundred and twenty-two and four hundred and ten. We issue at present four hundred and sixteen, taking the women and children, who are on shorter rations than the men, and adding them together as making in the whole so many full rations.

The total number of persons victualled in the colony amounts to four hundred and sixty-five, from which are to be deducted the civil and military officers, the military serving in the colony, several settlers and their families, servants, both belonging to the public and employed by individuals and the women and children, leaving but one hundred and sixty-five for public labour. When it is considered that among these there are several useless hands—men too old and boys too young for hard work—and that the whole, for upwards of twelve months, have been scantily and badly fed, and are now nearly entirely destitute of clothing, it cannot be expected that much labour can be obtained from them. I have, nevertheless, been able to prepare fifty acres for sowing with wheat this season, the which I much fear I shall not accomplish, being obliged to issue as a ration part of the wheat intended for seed; but should any supplies arrive, of which I am in hourly expectation, I shall then sow what yet remains—about twenty-five acres.

Suffer me now, my Lord, to represent that we ought not for some time to come to be without twelve months' provisions and cloathing beforehand in our stores. With that certainty we should proceed with spirit and effect in our several labours, and the settlement would consequently advance rapidly in the cultivation and growth of those articles which are necessary for its support.

* It is not a matter to be wondered at that the British Government, then hotly engaged in combating the ambitious schemes of Napoleon Bonaparte, found but little time to attend to the requirements of a small subordinate settlement so near (comparatively speaking) to headquarters at Sydney.

* * * * *
 dispatch will be delivered to your Lordship by Captain ^{Captain} of the Royal Marines, who, in obedience to a command ^{Sladden.}
 Right Honourable the Lords Commissioners of the Ad-
 is proceeding to join the division in which he has been
 to a company.

* * * * *
 I have, &c.,

 DAVID COLLINS.

SIR NOR KING TO THE COMMISSIONERS OF THE NAVY.
 (King Papers.)
 [Extracts.]

men, Sydney, 18th June, 1806. 19 June.

* * * * *
 William Pitt arrived here the 13th April with the female ^{Arrival of a}
 and passengers, &c., in a general good state of health. ^{convict ship.}
 women and two children died on the passage, and to
 for the latter loss two children were born on board. It
 by the master's report that one woman was taken out of
 by an order from the Secretary of State previous to the
 Pitt leaving Cork.

* * * * *
 sorry to inform you that, from the extreme bad weather ^{Demurrage}
 ppened before and after the Pitt's arrival, that the settle-
 in such a state, both with respect to the want of boats
 difficulty of pulling them against the rapid fresh that set
 harbour several days, it was impossible to clear that
 rely of Government stores until four days after the
 n of the working days stated in the charter party, but
 n an average being made, was settled at two days'
 re.

1806
18 June. eligible to hear and decide his complaint, a considerable time was occupied by this extraordinary litigation, when the Court decided that, as the complaint appeared to bear on the charter party by which the ship was hired, that the proceedings should be transmitted to your Board.*

I have, &c.,

PHILIP GIDLEY KING.

PUBLIC NOTICE.

18th June, 1806.

Seizure of
the brig
Venus.

WHEREAS the persons undermentioned and described did, on the 16th day of June, 1806, by force and arms violently and piratically take away from His Majesty's settlement at Port Dalrymple, a Colonial brig or vessel called the Venus, the property of Mr. Robert Campbell, merchant of this territory, the said vessel then containing certain stores the property of His Majesty,† and a quantity of necessary stores, the property of the officers of that settlement, and sundry other property belonging to private individuals :

Description
of the
pirates.

Benjamin Barnet Kelly, chief mate ; about 5 feet 7 inches high, pock-marked, thin visage, brown hair, auburn whiskers, and says he is an American ; he came to this colony as mate of the Albion south sea whaler, Captain Bunker. Richard Edwards, second mate ; about 5 feet 5 inches high, fair hair, a very remarkable scar or cut in one cheek ; left here by the Bridgewater. Joseph Redmonds, seaman ; a Mulatto, about 5 feet 6 or 7 inches high, stout made, broad nose, thick lips, wears his hair tied, and with holes in his ears, being accustomed to wear large earrings ; came in the Venus whaler. A Malay cook. Thomas Ford and William Evans, boys ; the latter a native of this colony. Richard Thompson, soldier ; 5 feet 8 inches high ; about 27 years of age, fair complexion, and light brown hair. R—— T—— E——, convict ; about 5 feet 7 or 8 inches high, stout made, brown hair, broad visage ; came out as a gunner's mate on board His Majesty's ship Calcutta, and having deserted, was afterwards transported here for fourteen years. J—— W—— L——, a convict ; about 5 feet 4 inches high, sallow complexion, brown hair, a little marked with the small-pox, of an emaciated appearance, and by trade a painter. C—— H——, a convict ; middle sized, light hair, fresh complexion, much inclined to smile, and hoarse voice. C—— B——, convict ; very corpulent, with full face, thick lips, and light hair ; has an infant child ;—

The crew.

The con-
victs

to be
detained if
discovered.

This is therefore to caution all Governors, and officers in command at any of His Majesty's ports, and the Honorable East India Company's magistrates or officers in command, at Home and abroad, at whatsoever port or ports the said brig may be taken into, or met with at sea, against any frauds or deceptions that may be put in

* There are no records available concerning the nature of the disagreement between Gregory Blaxland and the commander (Captain Boyce).

† The Venus had on board 11,184 lb. of salt pork, and 5,674 lb. of flour and meal.

ernor Hunter arrived here on the 15th, and brought account of having left the Venus in Twofold Bay, with watches on board, and many articles which we all stood need of. On the 15th that vessel hove in sight, and the anchored off Lagoon Beach. Mr. House went on board of her receiving the letters he, with the master, came to this living Corporal Thompson and Evans until his return. On the 16th I learned by accident that a box of letters had been found and thrown overboard, and that a quantity of spirits had been stolen. When I asked the master if what I had heard was true, he said it was. On this I ordered Mr. House to proceed on board, and to take another soldier with him, and to account whatever to quit the vessel until he brought her to Point, which is in sight of my house. Not hearing any answer the next morning, I dispatched my boat with a soldier to bring up what things which might be at hand, when to my surprise I was informed she was carried to sea, and that Mr. House or the master had been on board. This melancholy circumstance has induced me to dispatch the Venus with the information of this disaster, which will be deeply felt by all here, and particularly those at the Derwent, a place I intended sending her, with orders to return here, should she have availed myself in taking a passage in her to Port

Arrival of
the Venus
at Port
Darbyshire.

Spirits
stolen and
letters
opened.

Seizure of
the vessel.

A serious
loss to the
colony.

GOVERNMENT AND GENERAL ORDER.

20th June, 1806.

20 June.

Governor having been unwilling to lessen the reduced ration to those victualled from the public stores, until as much as possible could be sowed, he is now under the disagreeableness of directing that the ration of that species be reduced as follows, which, from a probable calculation, may last until November, before when, it is hoped, the prospects of the wheat harvest, and the arrival of rice contracted for from the East India Company, will be such as to enable him to admit of this necessary reduction being ordered.

Reduction of
the ration of
grain.

1806

20 June.

Hours of
labour
reduced.

It is expected that those victualled from the stores who possess grain, do cease drawing their ration for themselves and the part of their families who are victualled from the stores, the Commissary being directed to give them credit for the amount of grain.

In consequence of the above reduction, the bell to leave off work will ring at two o'clock until further orders.

The above reduction of public labour, consequent on the diminished ration of dry provisions, is not meant to affect prisoners off the stores by indent or otherwise to individuals, who are to require the full labour of their servants as long as they can be furnished with a full store ration.

GOVERNMENT AND GENERAL ORDER.

21 June.

21st June, 1806.

Neglect of
vegetable
gardens.

His Excellency has observed with much concern, that, at the present time of scarcity, most of the garden ground attached to the allotments whereon different descriptions of persons have been allowed to build huts, are totally neglected, and no vegetable growing thereon. As such neglect in the occupiers points them out as unfit to profit by such indulgence, those who do not put the garden ground attached to the allotments they occupy in cultivation, on or before the 10th day of July next, will be dispossessed (except in cases wherein ground is held by lease), and more industrious persons put in possession of them, as the present necessities of the settlement require every exertion being used to supply the wants of families by the grounds attached to their dwellings being made as productive as possible.

CAPTAIN W. WILSON* TO SIR JOSEPH BANKS. (Banks Papers.)

[Extracts.]

27 June.

Hon'ble Sir,

Monument Yard, 27th June, 1806.

* * * * *

An evidence
of industry.

It was by many consider'd a laudable thing and a striking effort of industry when the colonists had clear'd so much of their woody country, till'd and cultivated it, so as to raise more grain than the colony requir'd. When they had gone thus far in agriculture, they found that in this particular they could go farther; but having no market for their surplus grain, and the Government there, by means of the prisoners, raising on the Government farms more than half of the grain requir'd for the public store. The agriculturists, knowing that exports in grain were altogether impracticable, resorted to the external, though near, resources of

* Captain Wilson was agent in London for the Rev. Samuel Marsden and Messrs. Campbell and Co. Wilson commanded the ship Royal Admiral, which visited the colony in 1800. In a letter, dated 2nd July, 1806, Captain Wilson thanked Sir Joseph Banks for having complied with his request, remarking that he had that day received Orders of Council to the Hon. Commissioners of Customs and Excise granting all he asked for. See Banks's remarks on the colony, ante p. 86, and post, p. 107.

the colony, viz., in procuring seal-skins about Bass's Straits, and subsequently elephant oil. This species of industry has been uniformly encourag'd by Governor King, in whose time it commenced. His Excellency contracted with the first adventurers for seal-skins suitable for shoe-leather, I think, at 7s. each. The seal-skins, since found so useful in our hat manufactures, were then considered of less value, and for a considerable time after their value in England were ascertain'd they were sent to China, supposed to be the only market where they were in demand. On better information, they sent various investments of them on freight by different whalers. These were chiefly dry skins, and might amount on the whole to about 50,000. To encourage the shery, Governor King consented to their putting on freight a few tuns of oil on board His Majesty's ship Glatton; but the first entire cargo caught wholly by the colonists was purchas'd from them by Robert Campbell, merchant there, and by him shipp'd on board the Lady Barlow for England with the Governor's consent. This cargo consisted of 260 tuns of elephant oil and nearly 14,000 fur seal-skins, all dry for want of salt except about 300. She had on board also about 100 tons of beef-wood. The proprietor and the whole colony flatter'd themselves that this first proof of their industry would afford pleasure to their native country and be favourably received. That it did not is to be regretted.

1806

27 June.

The seal and
oil fisheries.Furs sent to
China.A ship
freighted
with
Colonial
produce

On the arrival of the Lady Barlow in the River Thames, in July, 1805, ship and cargo was seiz'd by the officers of the Customs and East India Company, and four months elapsed before the restraint was taken off, and then it was to land the cargo for exportation at a time when very little oil was exported. The following statement will show nearly the loss of the owners by this measure. Had the cargo been landed and sold for home consumption on the first arrival of the ship, it would have sold nearly as under:—

	£	£	Loss of the owners.
260 tuns elep't oil, @ £37 p. tun	9,620		
14,000 dry fur seal-skins, @ 6s. each	4,200		
Beef-wood, 100 tuns, at £15 p. ton	1,500		
	<hr/>	15,320	
Sold at, for exportation nearly:—			
260 tuns oil, £27	7,020		
14,000 seal-skins, @ 3s. 6d.	2,450		
Cabinet-wood, 100 tuns @ £7	700		
	<hr/>	10,170	
Deduct leakage, decay of skins, maintenance of the crew, and non-employment of the ship or demurrage		2,000	
		<hr/>	
		£8,170	
		<hr/>	
Loss sustained, nearly		£7,150	

1806

27 June.

Other consignments.

The Sydney.

Opposition of old whalers.

The next cargo of the colonists came on freight by the Honduras packet, and consisted of 30,000 salted and 6,000 dry fur seal-skins, belonging to the colonists, and about 10,000 salted which the packet had taken in two years and a half. The same parties have order'd insurance to be made on 30,000 more. These will probably come by the ship Sydney,* the subject of my memorial to the Hon'ble Privy Council. In this case I expect she will bring about 50,000 seal-skins, about 600 tuns of oil; and, on account of the Navy Board, four masts for frigates and 300 tons of timber for ship-building. She will, indeed, be freighted with the collective industry of the colony, and, as she belongs to the same owners as the Lady Barlow, I hope what they suffer'd by that ship will have weight with the Council in granting facility to the Sydney and her cargo, and particularly as I hope this will be the last application of the kind to the Hon'ble Council. Mr. Campbell, at present on his passage out, could not reach the colony in time to prevent this ship coming to England.

The opposition of the old whaling owners does them no honor. They may redouble their dilligence, but they ought not to complain. They have still the advantage. The colonists receive no bounties. They separate no seamen from the Navy by statute protections, but are actually training seamen, when on some future emergency it may be salutary for His Majesty's officers to be able to man a ship or strengthen an expedition.

* * * * *

Yours, &c.,
W^m WILSON.

GOVERNMENT AND GENERAL ORDER.

30 June.

30th June, 1806.

Road mending.

IN consequence of the bad state of the roads leading from Sydney to Parramatta, and the danger of horses being lamed in the deep ruts near Sydney, it is hereby directed, that all public and private carts and waggons passing that road (not otherwise loaded), do take a load of brick-bats from the brickfields and drop them in the places appointed by the overseer of the roads, provided it does not lie out of the way of the place to which the cart or waggon is going.

This Order to be enforced by John King, overseer of the brick-makers. He is to report those that do not choose to obey this necessary Regulation for improving that part of the road, and preserving their own horses.

* Before the Sydney left Port Jackson, word of the detention of the Lady Barlow had been received. The Sydney was accordingly unloaded in part, and hired by Governor King to bring rice and wheat from India. She was wrecked on the voyage, and her place taken by the General Wellesley, which arrived about the 13th February, 1807, with wheat and rice from Prince of Wales Island.

f age.

Department, Victualled.—1 captain and acting adjutant, 1 lieutenant, 1 acting quartermaster, 1 first lieutenant, 6 non-commissioned drummers, 36 rank and file, 1 do. (absent on service), 9 women, above ten years of age, 1 child under ten years of age, 6 children years of age.

Victualled.—254 men, 34 women.

not Victualled.—2 men.

Wives and Children Victualled.—14 women, 2 children above 10 age, 1 child under ten years of age, 14 children under five

not Victualled.—3 men.

not Victualled.—3 men.

Free People Victualled.—17 men, 10 women, 9 children above 10 age, 5 children under ten years of age, 4 children under five

not Victualled.—4 men.

Victualled at different Rations.—335 full, 92 two-thirds, 9 one-quarter.

65, number victualled from the stores; 475, number in the

since last Return.—2 absent in the woods, 2 births, 6 admitted.

DAVID COLLINS,

Lieutenant-Governor.

OF TRADE TO THE EAST INDIA CO. (Banks Papers.)

30th June, 1806.

manded by the Lords of the Comm^{ee} of P.C. for Trade
t you, for the information of the Court of Directors,
Lordships have received advice of the sailing of the ship
om His Majesty's colony of New South Wales, laden
rant oil, seal skins, masts, ship timber, cabinet-wood,
articles, entirely the produce of the collected industry
nists resident there; and that, in consideration of the
activity of this distant colony, and of the ship having
iled from thence before the news of the Lady Sinclair*
n detained by the officers of Customs here could have

The ship
Sydney.

1806

30 June.

The shipping
concerns of
New South
Wales.

I am also commanded to request you to acquaint the Court of Directors that their Lordships intend, without delay, to prepare instructions for the future government of the shipping concerns of that colony on a plan suited to provide the inhabitants with the means of becoming by degrees less and less burthensome to the mother country, and framed in such manner to interfere as little as possible with the trade, the navigation, or the resources of the East India Company.*

PROCEEDINGS OF A FULL BENCH OF MAGISTRATES. (King Papers.)

1 July.

1st July, 1806.

Authority of
magistrates.

THE letter† of His Excellency Governor King read, and the magistrates have, at all times, thought it their duty to enforce to the utmost of their power all Colonial Orders which the Executive power has issued for the public weal : but, at the same time, they do not think themselves vested with sufficient authority to send any free person out of the colony for any disobedience of a Colonial Order, which, they conceive, would be infringing the power of the Governor ; and they, farther, are of opinion that it is a matter of too great delicacy for them to pass any judgment on Orders issued by the Executive authority ; that the power of the magistrates extends no further than finding the culprit generally guilty of a breach of Governor Hunter's Order of the 28th July [? February], 1799, leaving it to the Governor to inflict the prescribed penalties.

R'D ATKINS,

E. ABBOTT,

GEO. JOHNSTON,

J. HOUSTON,

SAMUEL MARSDEN,

J. HARRIS,

THOS. JAMISON.

CAPTAIN FLINDERS TO GOVERNOR KING. (Banks Papers.)

[Extracts.]

Wilhelm Plains, in the Isle of France,

3 July.

My dear Sir,

3rd July, 1806.

Flinders's
imprison-
ment

The letter I addressed to you from my prison in August, 1804,‡ I have learnt by different channels arrived safely. In the *Times* of Oct. 19, 1805, I see extracts from the *Sydney Gazette*,

* This letter is printed from a manuscript in the handwriting of Sir Joseph Banks, headed "Sketch of a letter."

† This was a letter bearing date 30th June, 1806, calling the attention of the Bench to a General Order issued by Governor Hunter on 28th February, 1799 (vol. iii, p. 638), relative to the penalty to be imposed upon free people detected in the practice of illicit distillation. That General Order directed that, upon conviction, every indulgence received from Government should be withdrawn from such free people, and they should be ordered to quit the colony. King desired the Bench to state whether they did not consider it their duty to give effect to this General Order by "pronouncing in your decisions whether the delinquents do or do not come under the penalty prescribed by the above and other General Orders." The question originated in the action of a Bench of Magistrates at Parramatta, before which a free settler was convicted of a breach of this General Order. The Bench merely required him to give security for his future conduct, leaving it to the Governor to decide whether he should be ordered to quit the colony.

‡ See vol. v, p. 409.

1806

3 July.

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by and order.
J. A. Allen

re: Senator
Samuel Harris
The Journal
of the
State
of New York
J. A. Allen

ad in the *Madras Gazette*, of March 15, 1806, other extracts, wherein it is mentioned and my imprisonment in this island spoken in the terms which it justly merits; and I return you my best thanks for the great attention you have paid to my misfortune. I am informed, also, that General De Caen has very lately received from you a letter of remonstrance,* enclosing a copy of my former letter. This has irritated the General somewhat more against me, and prevented me from obtaining permission to visit some friendly families in another part of this island than this where I am placed. These little privations, however, are more than counterbalanced by the pleasure I have to know that you espouse my cause with so much friendly concern.

1806

3 July.

The General annoyed.

A letter I received from our excellent friend, Sir Joseph Banks, dated June,† 1805, informs me that Captain Bligh was then named to be your successor, and that your arrival in England was expected. You will then learn almost all the circumstances from Sir Joseph which have occurred to me in this island. A month or two after the reception of this, however, you will learn them much more fully from a narrative which at present occupies my time, and will be finished and forwarded to the Admiralty in a month or six weeks. This narrative will contain a short sketch of my voyage up to the condemnation of the *Investigator*, a particular account of the shipwreck, my voyages in the boat and the *Cumberland*, and the treatment I received in the Isle of France and during an imprisonment of more than two years and a half. With an appendix of official papers, it will contain between two and three hundred pages.

Bligh as King's successor.

Flinders' preparing a narrative.

* * * * *

I have learned privately that in your despatches to the Secretary of State there is a mention of Spanish America, which rendered my being the bearer criminal with respect to my passport. 'Tis pity I had not known anything of this, for on finding myself under the necessity of stopping at the Isle of France, and learning the declaration of war, I should have destroyed the despatches; but leaving Port Jackson in time of peace, and confiding in my passport, I did not think myself authorized to take such a step, even after I knew of the war—having no idea there was anything in the despatches that could invalidate my passport; neither, indeed, is it invalidated in justice, but it is said to be the under plea against me. That which is given to the world (in the *Moniteur*, of July 11, 1804) says nothing of this circumstance, and is indeed a tissue of falsities and misrepresentations. I had entertained some hopes that amidst all that I am suffering in numberless ways, the Admiralty, on learning my imprisonment and all the attendant circumstances, would have given me promotion—perhaps from Dec., 1803, the time of my imprisonment. This would have been some consolation; but as far as December, 1804 (the last list I have seen) my name is still amongst the commanders. Perhaps

The alleged invalidation of Flinders's passport.

Flinders's rank in the Navy.

* See this letter, vol. v, p. 612.

† Ib., p. 646.

1806

8 July.

Flinders
recom-
mends his
officers for
promotion.

they waited for information of what I had done in the Investigator and if so, they will, I hope, have received it in October, 1805, by the arrival of Mr. Aken with the principal part of my charts and journals; and I think, my dear sir, you will bear testimony to considering the early decay of the Investigator, as much was done and I trust it will be found to be as well done, as circumstances could permit. I will not say much for my ability, but certainly there was no want of zeal on my part. 'Tis not myself only, but all my officers are also suffering; even Mr. Fowler, who distinguished himself in his passage Home against Admiral Linois, has received no promotion or appointment that I can learn. Allow me, my dear sir, to recommend him to your attention and assistance, and permit me to add the names of Lieutenant Flinders and Mr. Franklin*; I think they will be found worthy of anything you may find an occasion of doing for them. I should also mention Mr. Lacy did I not think he had friends who are all-sufficient to serve him.

His friends
on the Isle
of France.

The French
Govern-
ment.

French sym-
pathisers.

Mrs.
Flinders.

In this island I have many and very warm friends, and indeed no enemies but General De Caen, who, if I am rightly informed, is himself heartily sorry for having made me a prisoner; but, led by his violence and unfounded suspicions, he has proceeded too far to retreat. He remitted the judgment of my case to the French Government and cannot permit me to depart, or even send me to France, until he shall receive orders. The Minister of the Marine, it seems, found the imprisonment of the commander of a voyage of discovery with a French passport so extraordinary and difficult to decide that he referred it to the Council of State; and the Council has been so much occupied with the war, with making princes of the blood viceroys and marechalles of the Empire, &c., &c., that they have no time to think of an English prisoner so far distant. To give an idea of the interest my extraordinary situation has excited here I enclose the copy of a letter,† written by a literary society in this island to the Institute of Paris, which I beg of you also to shew to Sir Joseph Banks; but it must not be made public, at least as yet, lest it should reach the island and injure the authors with the Captain-General. Several other letters to individuals in the Departments of the Marine, and in the Council of State, in the same strain have also been—or are about to be—sent from officers here; and my friend, Bergeret, who embarks for France in a few days, promises to employ his influence in the same cause; so that I hope one day to have the affair fully and fairly investigated. Another year's imprisonment will, however, most probably be my lot.

Should Mrs. Flinders be in London (you would know it from Mr. Bonner, No. 86, Fleet-street), I hope she will find you out, and make acquaintance with my much esteemed friend, Mrs. King.

* Flinders's cousin; afterwards Sir John Franklin, the celebrated Arctic explorer.

† This is the letter printed by Flinders in his *Voyage to Terra Australis*, vol. ii, p. 44. For that reason it is not reprinted here.

Ah! I hope she, and you, and my dear little Elizabeth have arrived in safety and in health. I long to see that dear little girl. Whilst I have been losing my time, my strength, and peace of mind in a prison she has been increasing in charms and making acquirements of knowledge and virtue. Pray kiss her for me; and present her and her good mama with my respectful and affectionate remembrances.

1806

3 July.

Adieu, my dear sir. At this time I trust it is not necessary for me to beg you will preserve a place for me in your recollection and friendship; and be assured that it is with the highest esteem and consideration,

I am, &c.,

MATT'W FLINDERS.

P.S.—My faithful servant, John Elder, is the only one of the Cumberland's remaining here. All, except myself, were permitted to depart, but he refused to leave me. Flinders's servant.

4th July. P.S.—If the Admiralty should be indolent in their endeavours to procure my liberation, it has struck me that perhaps a letter from you might stimulate them. Of all the people in England you are the best capable of appreciating the value of my discoveries in *Australia*,* you know best the unfortunate circumstances that prevented me from doing more, and whether or no I made the best use of the short time before these circumstances happened. From first making Cape Leuwen to finding the Investigator rotten at the head of the Gulph of Carpentaria was a less time than one year. Flinders and the Admiralty.

M.F.

22nd July, 1806.—A report is spread here of Sir Joseph's death, but I hope in God it is not true.

SOME Observations on a Bill for admitting the produce of New South Wales to entry at the Customs-house of the United Kingdom.† (Banks Papers.)

7th July, 1806.

7 July.

WILL it not be better, instead of the doubtful phrase of "*Australasia*" or "*New South Wales*," terms certainly not synonymous, and which seem to cover some secret claims, to say plainly "*His Majesty's colonies, &c., of New South Wales and Van Diemen's Land*"? This puts in a claim for the territorial possession of Van Diemen's Land, and leaves the greatest part of New Holland, as it ought to be left, open to the enterprise of any European nation who may venture in time of peace to make a settlement there, under a moral certainty of its falling into our hands in the event of war. The territorial possession of Van Diemen's Land is worth Australasia.

Van Diemen's Land.

* Flinders underlined the name *Australia*. It did not come into general use for some years afterwards. See the *History of New South Wales from the Records*—vol. i, p. 88 *et seq.* In December, 1804, we find Flinders enclosing to Governor King "a copy of my general chart of *Australia*"—vol. v, p. 531.

† These observations are in the handwriting of Sir Joseph Banks. The Bill is evidently not identical with that printed on p. 241-6, post. Cf. Banks's remarks on the same subject, ante, pp. 86-91.

1806

7 July.

asserting, and, as we have now two settlements upon it—one on the north and the other on the south side—may with some color of justice be maintained, and it will in time become a most valuable nursery for seals if other nations can be prevented from robbing the seal harbours when a stock of seals has accumulated in them.

Trading
limits.

The north and south limits assigned by the Bill to the lands, the produce of which may be legally brought to England, deserve consideration. Some sea room should be allowed to our enterprising colonists in case they choose to circumnavigate the northern point of the third continent. The southern passages of Torres Straits are very shallow. To the northward there is deeper water. The ninth degree of south lat. is therefore submitted as the northern limit in the place of $10^{\circ} 37'$. It opens no additional prospect to the colonists of visiting our European settlements, but facilitates considerably the investigation of the northern, and probably the most interesting, parts of New Holland.

The
Southern
Fisheries.

Why any southern boundary should be set to the enterprise of our successful sealers does not appear. The limit proposed by the bill of $43^{\circ} 9' S.$ will prevent them from visiting the south part of New Zealand, where treasures of seal-skins and oil have been accumulating for ages, and the little island of Penantipode, which has furnished 30,000 of the seal-skins and a proportionate quantity of the seal oil laden on board the expected ship which their Lordships have been graciously pleased to admit to an entry here, to the no small encouragement of the southern fishery. Besides, it is surely probable that the Antarctic, as well as the Arctic, regions produce whales and other sea monsters beneficial to fishermen, which may be made a source of profit to our new settlers, but cannot be advantageously fished for by any other Englishmen.

Ships built
in New
South Wales.

Colonial
timber.

Will it be necessary to enact anything relative to the registration of ships built in New South Wales, either by an act of Government there or on their arrival in England, if furnished with proper certificates, or do the present navigation laws attach upon His Majesty's territories there as soon as they are declared to be colonies? Timber costs nothing there, and ship timber of excellent quality is believed to exist on the coast, not far to the north of our settlements. Ships will in consequence be soon built there, notwithstanding the high price that labor must for some time continue to bear. If the masts sent Home and fixed in the Sydney prove good—and we are told that she herself has a ———* mast standing in her cut in that country—the probability of ship-building becoming a trade there will be much increased.

American
enterprise.

Is it necessary in this Bill to make any provision for the prevention of American intercourse with our infant colonies? If the existing laws are sufficient for that purpose, instructions ought to be sent to the Governor to enforce them with severity. The

* Blank in the original.

nischief the Americans have done by stealing convicts from Sydney, and when they found them useless or mischievous by sending them on the South Sea Islands, is almost incalculable. 1806
 Otaheite is said to be at present in the hands of about 100 white men, chiefly English convicts, who lend their assistance as warriors to the chief, whoever he may be, who offers them the most acceptable wages, payable in women, hogs, &c. ; and we are told that these banditti have by the introduction of diseases, by devastation, murder, and all kinds of European barbarism, reduced the population of that once interesting island to less than one-tenth of what it was when the Endeavor visited in it 1768. Surely these people will, if not otherwise provided for, soon become buccaneers and pirates. 7 July. Europeans landed on the Islands.

SIR JOSEPH BANKS TO CAPTAIN WATERHOUSE.

Dear Sir,

Soho Square, 8th July, 1806.

8 July.

I much wish to procure accurate information respecting the introduction of the Spanish breed of sheep at Port Jackson, from which so much is expected, and some good will, I have no doubt, be in time realised. The first Spanish sheep.

From Captain Kent I have heard that there were twenty-six in all at the Cape, the produce of four ewes and two rams imported from Spain by Gordon ; that you and he joined in the purchase of them, giving £4 a piece, and each took thirteen on board your respective vessels ; that you were successful and brought the most of yours to Sydney, but that the most of his died on the passage ; that he sold one ram to Captain Macarthur for £16, and that the captain bought two more of Lieutenant Brathwaite. Imported from the Cape.

Will you be so good to me as to recollect, as well as you can, whether Captain Kent's memory is correct, and also inform me in what manner you disposed of the sheep you brought with you, which were, I understand, more numerous than those of Captain Kent ?

I shall be thankful to you for any particulars or anecdotes respecting Spanish or half-bred sheep in the colony—chiefly respecting the persons into whose hands they fell, and in whose hands they, or any others, are likely to be at present.* Banks seeks information

I am, &c.,

JOS. BANKS.

PROCLAMATION.

12th July, 1806.

12 July.

WHEREAS, notwithstanding the General Orders of this territory, dated the 11th of August, 1804,† prohibiting any of His Majesty's subjects leaving this port in foreign ships or vessels during the present war, and the Governor's positive refusal of James Aikin‡ The case of James Aikin.

* See Waterhouse's reply on next page.

† See vol. v, p. 417.

‡ See some correspondence in this matter in vol. v, p. 620-622. Aikin (he sometimes spelt his name Alkin) came to the colony as master's mate on board H.M.S. Supply.

1806

12 July.

and other British subjects shipping themselves on board the Criterion, American ship, in May, 1805, and the precaution taken in requiring bonds from the commander of the Harriet, British whaler, not to allow the said James Aikin, or other British subjects shipped in the Harriet for England, to go on board the Criterion or other foreign vessel on this side of Cape Horn, yet the event has proved that the said James Aikin was removed from the Harriet to the Criterion a few days after their departure, and that he proceeded in that vessel to the Fejee Islands, within the limits of this territory, where a cargo of sandalwood was procured and taken to Canton, from whence a quantity of tea and other goods were brought to this port in the Criterion, James Aikin being on board.

The rights
of the East
India
Company.

As this proceeding took place in direct contempt of the General Order of the 11th August, 1804, and the Honorable East India Company's chartered rights, as secured to them by an Act of the British Legislature, and the XIIth Article* of His Majesty's Instructions to the Governor of this territory, every British subject is forbid entering into any mercantile contract with the subjects of foreign powers on pain of being sent from the colony.

Limitations
of trade.

And it is to be understood by the supercargoes and masters of foreign vessels "that no intercourse whatever will be allowed of between this colony and the Honorable East India Company's territories, and the coasts of China and islands adjacent thereto, where European nations resort." Nor will any articles, the produce of those countries, be allowed to be imported by foreign vessels returning after being cleared out from hence without being subject to the restrictions laid on the Criterion, American ship, now in this port, which cannot be allowed to land any part of her cargo, being interdicted by a positive law.

CAPTAIN WATERHOUSE TO SIR JOSEPH BANKS. (Banks Papers.)

16 July.

Sir,

Great Armitage, 16th July, 1806.

Having hurt my hand on my way down here is the reason I have not answered yours† sooner respecting the Spanish sheep in New South Wales.

Water-
house's
voyage to
the Cape.

In 1797 I arriv'd in the Reliance at the Cape of Good Hope, together with the Supply (Capt. Kent) and Britannia transport. On board the Reliance was the Commissary, for the purpose of purchasing cattle for the settlement; on board the Britannia, Gov'r King and Colonel Paterson, on their way to England, both which gentlemen had been acquainted with Colonel Gordon, who lost his life there. Col. Gordon had imported a few Spanish sheep to the Cape which had increas'd to thirty-two. Mrs. Gordon was

* See the Article referred to, printed in vol. iv, page 708.

† Ante, p. 109.

n going to England, and, for some reason, did not choose to
 re anything that had belonged to her late husband at the Cape.
 : gave three Spanish sheep to Gov'r King and three to Col.
 erson. The remainder I understood were offered to the Com-
 sary, but he declin'd to purchase them on the part of Govern-
 nt. They were then offer'd to me. As I could not afford to
 chase the whole, Capt. Kent (that they might not be lost to
 : colony) offered to take half. We each receiv'd thirteen, and
 ook Gov'r King's on board the *Reliance*. Col. Paterson took
 to England to present to Sir J. Sinclair.* We paid Mrs.
 rdon four pounds apiece for them. The expences on delivery was
 out one pound a head more. The expence for food, &c., for the
 yage was very considerable. Unfortunately, Gov'r King's sheep
 d been brought to the Cape Town some time before ours and
 it with some others, by which they became diseas'd and com-
 municated it to ours. His three died soon after they came on board.
 do not recollect the number I had alive when I arriv'd at Port
 ackson, but think more than half.† Capt. Kent, who I understood
 ured his with Lieut. Braithwait, I believe lost all, from the cir-
 cumstance of his applying to me for one immediately on my arrival.
 do not recollect if Lieut. Braithwait had one or two alive.

1806

16 July.

Colonel
Gordon's
Spanish
sheeppurchased
by
Waterhouse
and Kent.Spanish
sheep landed
at Sydney.

I offer'd all mine to the Governor, but I suppose he was satisfy'd
 s they were in the colony, as he declin'd purchasing them.

Captain McArthur then offer'd me fifteen guineas a head, pro-
 ided I would let him have the whole. This I declin'd, wishing
 o distribute them.

I suppli'd Capt. Kent, Capt. McArthur, Capt. Rowley, and
 dr. Marsden. As the Spanish ewes had lambs—none but Spanish
 ams running with them—I supplied Mr. Williamson, Mr. Moore,
 overnment, and, in fact, any person who wish'd to have them.

Distribution
of Spanish
sheep at
Sydney.

never had any other but Spanish rams with my flock, and on
 y quitting the colony sold the flock to Mr. Cox, the Paymaster,
 ith the exception of a few to Captain McArthur. Most who had
 panish sheep were particular about them, and I took pains to
 isperse them; and I can assert that several of the Spanish sheep
 originally brought from the Cape, together with their produce,
 as in the flock I left behind. If you will look to the *Sydney*
Gazettes, Sir Joseph, you will find often the price of Spanish sheep
 t the sales. I apprehend most of those who turn'd their mind
 o raising sheep have some of the real Spanish breed amongst
 em.‡ I believe, sir, you have fleeces of the different crosses that

The true
merino.

* The first President of the Board of Agriculture.

† According to Governor King (vol. iv, p. 602), three Spanish rams were landed in 1797.
 he, however, could only have been speaking from hearsay, as he was in England at the
 ne.

‡ In the "Observations on Sheep in New South Wales," found in the Alnwick Library
 et, p. 179), the writer alleged that there was reason to believe that the rams imported
 Waterhouse and Kent in 1797 were not of the true merino breed, being much larger.
 idently Waterhouse thought otherwise.

1806
16 July. were sent Home to you. As I do not understand wool, I could only speak from report. Major Johnston took out with him a Spanish ram this last time he went out, presented to him by the Duke of Northumberland.

I believe this [is] all, Sir Joseph, you wish'd to know respecting the Spanish sheep—how they were dispers'd ; but if I have omitted anything, will you have the goodness to let me know ?

I remain, &c.,

H. WATERHOUSE.

GOVERNOR KING TO VISCOUNT CASTLEREAGH.

[Extracts.]

Sydney, New South Wales,

26th July, 1806.

26 July.

My Lord,

* * * * *

The case of
the In-
tegrity.

I am much concerned to inform your Lordship that the Integrity is not yet returned,* and I am more than apprehensive for that vessel's safety, but for the hope that she may have been detained on some pretext by the Government of Chili, although I think no consideration ought to have operated on the Spanish Admiral who governs that province to detain her under the just and honorable principles she was put within his power.

Seizure of
Spanish
vessels by
the master
of the
Harrington.

The Harrington and the two Spanish vessels† have remained in the same state, viz., the former left by the master and under the care of a guard ; the merchant brig hauled up on shore to prevent her sinking, her cargo being sold by auction for the benefit of the proprietors ; and the King of Spain's cruizer dismantled, lying alongside the hulk until May, 1805, when, in consequence of the Buffalo's being much disabled in a gale of wind while going with supplies to Port Dalrymple, and on account of the Integrity's absence, and, having no Colonial vessel to send, it was necessary to rig and fit the Estremina and send her to Port Dalrymple with supplies, being navigated by a lieutenant and crew from the Buffalo, which service she performed, and has since carried further supplies to Port Dalrymple and Hobart Town, all which arrived, and the vessel returned previous to my receiving your Lordship's dispatches, dated the 11th January, 1805, communicating that war between His Majesty and the King of Spain had taken place that day, which, being made public, the officers and crew of His Majesty's ship Buffalo, lying in this port, took possession of the two vessels as Spanish property, and also claimed the whole as

The Estre-
mina re-
fitted.

Vessels
claimed as
prizes.

* The Integrity was sent by King to South America, under a flag of truce, with letters to the Governor of Chili concerning the seizure of Spanish vessels by the Harrington. She sailed from Sydney, 20th June, 1805, in charge of Acting-Lieutenant Charles Robbins, of H.M.S. Buffalo, and neither she nor any of her crew were ever heard of again.

† For the circumstances connected with the seizure of these two vessels, see vol. v, p. 614 (note). The law officers of the British Government gave it as their opinion that although the Governor had acted from the most laudable motives in ordering the seizure of the vessels, yet he was not justified in detaining them as there was no evidence of *animus furandi* on Campbell's part such as would be required to establish a charge of piracy.

legal prize, which was heard in the Vice-Admiralty Court, when, in consequence of its decision, as contained in the enclosed documents,* the two Spanish vessels, with the Spanish property found on board the Harrington, were sold by public auction and the nett proceeds delivered to me, amounting to the aggregate sum of £5,053 18s. 9d., to be disposed of agreeable to the decision of the Court of Vice-Admiralty.

1803

26 July.

* * * * *
I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR KING TO VISCOUNT CASTLEREAGH.

[Extracts.]

My Lord, Sydney, New South Wales, 27th July, 1806. 27 July.

1. By the William Pitt, which arrived the 14th April, I had the honor of receiving your Lordship's letter and enclosures as per margin.† Arrival of the William Pitt.

2. Mr. Gregory Blaxland and his family arrived by that ship,‡ and in pursuance of your Lordship's directions his effects of all kinds were lodged in one of His Majesty's stores, to which he has every access. His having hired a house from an officer who is in England, has enabled him to place his family in a comfortable situation on his first landing. Gregory Blaxland.

3. Agreeable to your Lordship's desire, I offered him a situation whereon to sow the seeds he brought, which he declined, from the circumstance of those he had tried in Government garden in Parramatta soon after his arrival not vegetating, which unfortunately was the case with the whole of the liberal supply of wheat and garden seeds sent on account of Government, owing to the heat of the ship's hold in which they were stowed. Failure of seeds.

4. On Mr. Blaxland requiring a certain quantity of breeding stock, I gave the Commissary an order, of which the enclosed§ is a copy. He consequently made his own selection out of the whole of Government herds, in which he had the uncontroul'd choice of 1,700 cows, for the payment of which he has given a set of bills of exchange for £1,050, one of which I have directed the Commissary to enclose to the Secretaries of His Majesty's Treasury, as I do not consider myself authorised to use that produce for defraying the public contingent expenses of the colony. Blaxland purchases cattle.

5. Your Lordship will observe that the sum of £1,050 does not cover the whole charge for the forty head by £70||, which Mr. G Blaxland informs me it was inconvenient for him to include in the amount of the bill of exchange, a copy of which I have the honor to enclose. Since then he has sold a great part of the goods he brought with him, which has realized so considerable a sum that he Details of purchase.

* Enclosures not available.

† See the letters of 10th and 13th July, 1805, vol. v, pp. 654 and 655.

‡ For a list of the settlers and officers who came out in the William Pitt, see vol. v, p. 643.

§ Omitted. || The price of the cows was £28 per head.

1806
27 July.

has applied for forty head more of cows, which I shall comply with when he has delivered a bill for the amount, including the deficit of £70 on the former purchase, which shall be transmitted, the same as the present bill, to the joint Secretaries of His Majesty's Treasury, presuming that to be the regular channel for this transaction.

Land grant
and convict
servants
allowed to
Blaxland.

In obedience to your Lordship's directions, I have located in perpetuity to Mr. Gregory Blaxland 4,000 acres of land, in a situation of his own chusing.* The number of convicts, i.e., ten to each 1,000 acres, he will receive as he wants them. At present he has only applied for twenty, which he has got. I have directed an account of the time he has them to be kept, that he may maintain them or any numbers he chuses to have assigned him at the expiration of the time limited for the forty convicts being maintained at the public expence, i.e., eighteen months, which, with his family being victualled, will be an expence of £1,300 to the Crown; and I sincerely hope that the benefit this colony is expected to derive from his efforts, and his brother's when he arrives, will amply compensate for the liberal encouragement and accommodation Mr. Gregory Blaxland has already received.

Goods
received by
the William
Pitt.

7. Excepting the articles as per margin,† which it appears were taken out of the William Pitt at Portsmouth, by an order from the Transport Board, the remainder of the invoiced articles put on board that ship were received into the Commissary's charge; but I am sorry to observe that many of the bales of slop clothing were so much damaged on the voyage as to require a survey thereon, a duplicate of which I have the honor to enclose.‡

Salt pork
from
Norfolk
Island
condemned.

* * * * *
11. Referring to my last communication respecting the other settlements, I am sorry to inform your Lordship that by the Estramina's return from the Derwent and Port Dalrymple, I was informed by Lieutenant-Governor Collins's letter, dated 20th April, 1806, that he had been under the necessity of condemning upwards of 16,000 lbs. of the salt pork sent from Norfolk Island to Hobart Town.§ On this subject I have written to the Commandant of Norfolk Island for an explanation of that circumstance, copies of which, with the report of survey, I enclose.|| On receiving that officer's answer I shall lay it before your Lordship.

An agricul-
tural pest.

* * * * *
15. I am much concerned to observe that the effects of the fly-moth to the wheat, as noticed in my letter of March 15th,¶ has been and continues equally destructive to what the flood spared of

* The British Government agreed to allow Blaxland 8,000 acres, but only on condition that he employed a capital of £6,000. The terms on which Gregory Blaxland came out were identical with those allowed his brother John. See vol. v, pp. 678-9.

† 10 casks of hats; 15 casks of shoes; 6 bales of shirts; 30 bales of cloathing; 8 puncheons of barley; 8 puncheons of wheat; 6 bales of stockings.

‡ Omitted.

§ See Collins's letter to Castlereagh, 17th June, 1806, ante, p. 94.

|| The letter merely set out that the pork was unfit for food; it and the survey have therefore, been omitted.

¶ Ante, p. 37. See also King to Cooke, 1st November, 1805, vol. v, page 715.

crops of maize. In many points this destructive insect
 ars to be like what is called the "Hessian Fly." It is now
 rtained that this insect first made its appearance two years
 and was the real cause of the apparent blights with which
 grain appeared affected. By some unaccountable means its
 are deposited in the farina of the plant, where it remains
 ng the process of vegetation, concealed from the human eye, Its ravages.
 when the grain is stacked or stored, the egg hatches the grub,
 ch in an imperceptible state feeds on the mealy part of the
 n, until it has nearly emptied it; it then goes into the chrysalis
 e, and then the devastation it occasions is first discovered by its
 ping from that state and flying, when, of course, it recom-
 ces its procreation. How far this evil may be lessened by a
 ough change of seed remains to be ascertained; and it is,
 efore the more unfortunate that the liberal supply of wheat
 l, as well as the other grain and culinary seeds sent by the
 liam Pitt, have not, in a single instance, vegetated, which at
 period is a considerable loss.

1806

27 July.

9. I am happy to inform your Lordship that by the exertions
 he magistrates and others acting under my authority, several
 s have been detected and destroyed, which has been effected
 he rewards held out by the General Orders of the 11th May
 14th June,* as detailed in the *Sydney Gazettes* of those dates.
 ; practice, if not got the better of by these means, would have
 olved the inhabitants in ruin and confusion. As I have
 iled my suspicion in the above cited General Orders, I shall
 ear stating some of the known aggressors in those transactions,
 heir situation and office ought to have precluded them from
 uraging such practices.

Illicit stills.

1. In continuation of my report respecting the peaceable
 eanor of the natives of this country, I am gratified in assuring
 r Lordship of their general good conduct, which will induce
 to recal the two who were sent from hence to Norfolk Island
 re they have behaved very quiet and orderly. It is singular that
 o' this is a year of uncommon scarcity, yet none of the natives'
 istomed purloinment of Indian corn has happened this year.

The natives.

4. On the 12th instant, the *Fortune*, with 242 male convicts,
 a guard from the 8th Royal Veteran Battalion arrived. She
 ted company with His Majesty's ship *Porpoise* and the *Sinclair*
 he latitude of 9 degrees north, and touched at Rio Janeiro. The
 poise and *Sinclair* proceed to the Cape of Good Hope; therefore
 pect those ships with Governor Bligh every day. The *Fortune*
 only three convicts and one soldier on the passage.

Arrival of
the Fortune.

I have, &c.,

PHILIP GIDLEY KING.

1806

CAPTAIN FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

28 July.

Wilhelms Plains, in the Isle of France,

28th July, 1806.

Flinders's
narrative.

HAVING an opportunity of transmitting the narrative of my treatment in this island by a good conveyance, which rarely happens, I have completed it as far up as my time would allow, and put it into the hands of Capt. Larkins, late of the Warren Hastings, Indiaman, who promises me to deliver it in person to Mr. Marsden. It had been my intention, Sir Joseph, to have transmitted it to you, but I consider that my public duty requires that it should be addressed to the Admiralty in the first place ; and I know that you can see it if you have the desire. I hope you will have the desire ; for it is in your eyes, more than those of any other, that I desire to be justified.

Publication
left to
Banks.

Should there be no hope of obtaining my liberation from the French Government, you may possibly think proper that it ought to be made public. In this case, however, it would require to be put into the hands of some skilful writer, under whose pen, and with such appropriate notes and reflexions in addition as would present themselves to a well-informed mind, it might become a work to interest the public of all civilised nations. Should the Admiralty not chuse to do anything with it, it will remain for the information of the few who interest themselves in my fate ; and will sometime serve as so much information to be incorporated into the Investigator's voyage should it ever be intended to publish it.

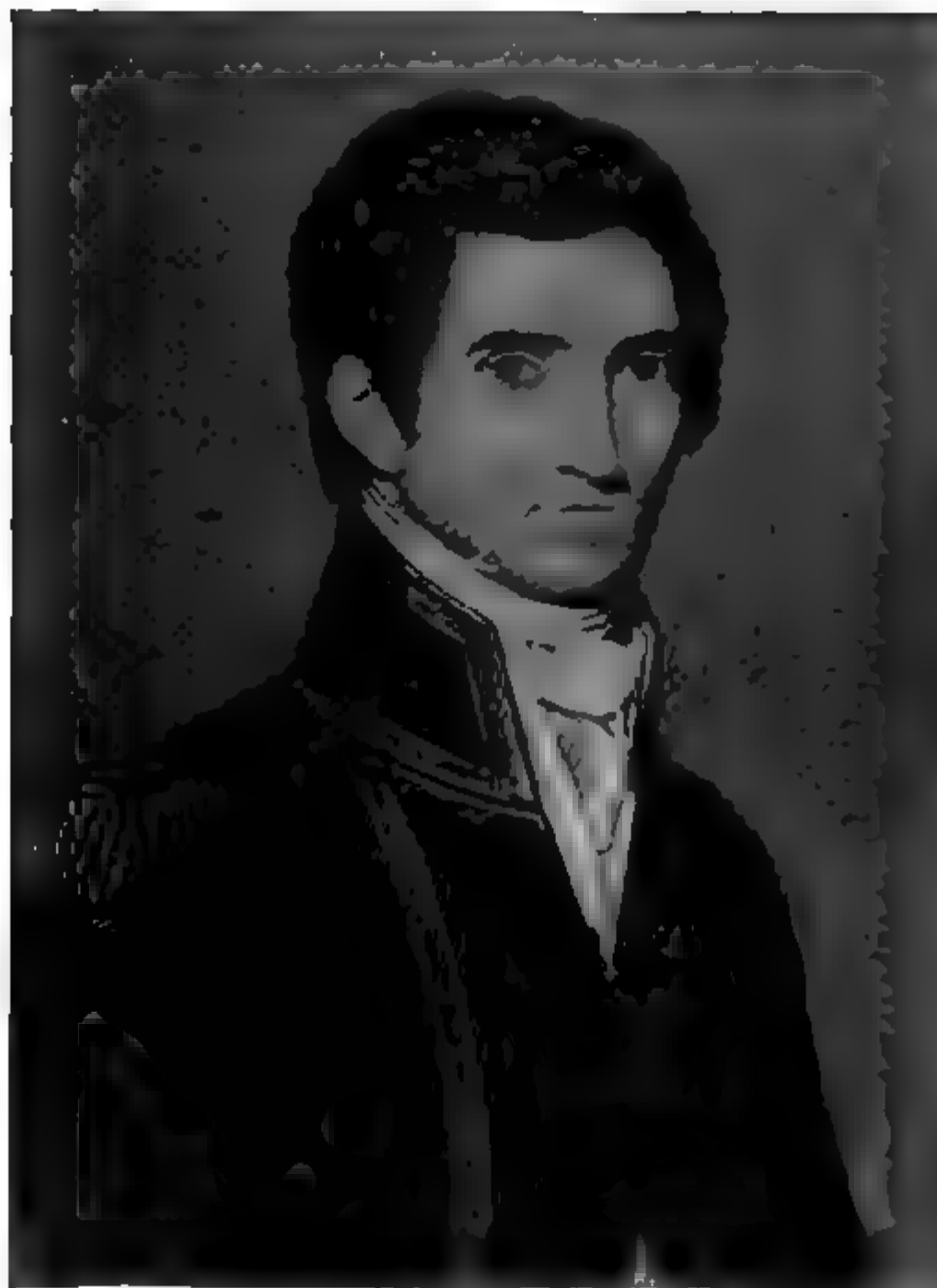
Flinders's
letter to
French
officials.

After the arrival of various despatches, which contained no orders relative to me, and the failure of the third application to be sent to France, I addressed myself again to Monsieur Fleurien, and sent also a letter to Admiral Decres, the Minister of the French Marine, in May last ; but what the effect of these may be, I must wait another year to be informed—and perhaps another ; for it appears that the Minister has referred the decision of my case to the Council of State ; otherwise, perhaps it would have been soon decided ; and, according to the opinions of the people here, from the circumstance of General De Caen and the Minister of the Marine and the Colonies not being on good terms, it would have been in my favour. The justice of my cause is left out of the question.

Still hoping
to be soon
released.

Notwithstanding this length of delay, I do not yet, Sir Joseph, give up hopes that so soon as the Government of France shall find itself tranquil, your efforts with the National Institute will produce effect : it is this violent national animosity, so destructive to science and every liberal principal, that has probably been the main cause of retarding it. There are now from the island many applications in my favour gone to members of the Institute and of the Council of State ; and, indeed, from all the respectable inhabitants with whom my circumscribed limits have permitted me to make acquaintance, I have experienced the most cordial reception and an interest in my situation lively beyond what I





CAPTAIN MATTHEW FLINDERS, R.N.

(Photographed from a Painting made in 1808 by T. A. de Chazal, at the Isle of France. The photograph lent by J. J. Shillinglaw, F.R.G.S.)

ould have supposed. If friendly consolation could make up to me for the injuries I am sustaining in rank, fortune, loss of time, deprivation from my favourite employment, and in everything that men sometimes term ideal happiness, I might remain contented and become fat ; but, unfortunately, perhaps for me, my disposition is not of this cast. I cannot cease to regret my liberty, my country, my family, and my voyage.

1806
28 July.

I sometimes fear—and it is a sickening thought—that I may be kept here until my patron, my conductor in the road to fame, shall be no more. Where, Sir Joseph, shall I find another disinterested friend to humble exertion under whose auspices I might be able to proceed in the career you have opened to me? No—it is not to be hoped. Without fortune, rank, or connexions, what can I hope for? Should this dread misfortune then befall me, I have taken my resolution—"The world forgetting, by the world forgot"—I will retire into a corner and place my happiness in domestic relations. This melancholy thought has struck me more forcibly since I had a report sent me of your having paid the great debt of Nature ; but I have fortunately been able to trace its origin to a date anterior to June, 1805, when you did me the honor of addressing a letter here, which arrived in October following.

Flinders's
anxiety for
Banks's
health

That you may long live, the widely-honored patron of science and of such of its followers as need your assistance, is the most fervent desire of, Sir Joseph,

Yours, &c.,

MATT'W FLINDERS.

THE RIGHT HON. W. WINDHAM TO CAPTAIN BLIGH.

Sir,

Downing-street, 31st July, 1806.

31 July.

By the accompanying copy of Lord Castlereagh's despatch to your predecessor, dated 13th July, 1805, and the papers enclosed with it, you will be made acquainted with the terms* under which Mr. J. Blaxland and his brother have entered into an engagement with His Majesty's Government for their establishment as settlers in New South Wales.

Mr. Gregory Blaxland left England about the same time that you sailed, and this letter is delivered to the charge of Mr. J. Blaxland, who has taken his passage in a whaler entirely at his own charge.†

John and
Gregory
Blaxland.

Mr. J. Blaxland having thus relinquished the advantages of patronage for himself and his family, and the accommodation which would have been provided for them at the public expence, according to the terms of the agreement in question, has applied for some indulgence on his arrival at Port Jackson, so as that the amount of his first expences there may be reduced.

* The terms referred to will be found printed in vol. v, pp. 678 and 679. The document formed one of the enclosures to Castlereagh's despatch.

† Gregory Blaxland arrived in the William Pitt on 11th April, 1806 ; Bligh arrived in the Lady M. Sinclair on 5th August, 1806 : and John Blaxland arrived in The Brothers on 10th April, 1807.

1806
31 July.

The only mode in which it appears to me that this can with propriety be granted is by allowing Mr. J. Blaxland to pay for the stock with which you may furnish him instalments in produce instead of paying for such stock in bills of exchange on England.

In regard to the other stipulations of the agreement, I have only to desire that you will carry them into effect as soon as ever Blaxland shall produce to you such documents as shall satisfy you that he has property or credit to the amount stated in his agreement.*

I have, &c.,

W. WINDHAM.

GOVERNMENT AND GENERAL ORDER.

2 Aug.

2nd August, 1806.

Neglected
gardens.

ALTHOUGH a few individuals appear to have commenced getting into cultivation the allotments of garden ground attached to the dwellings they are allowed to occupy, yet the far greater number do not appear to pay any attention to the General Order of the 21st of June last.†

Penalty for
continued
neglect.

It is, therefore, to be understood that those who persevere in so criminal a negligence at this time of getting their gardens into a state of cultivation (to meet the scarcity that at present exists, and will be greater before the next harvest) will forfeit them to more industrious persons, for which purpose an inspection will shortly take place in the towns of Sydney and Parramatta.

GOVERNMENT AND GENERAL ORDER.

7 Aug.

Headquarters, 7th August, 1806.

Arrival of
Governor
Bligh

HIS Excellency Governor Bligh being arrived to relieve Governor King, he will land to-morrow at eleven o'clock, and is to be received by the troops and garrison with the honours due to his rank as His Majesty's Captain-General and Governor-in-Chief.

In consequence of some previous arrangements, Governor King retains the executive authority until Wednesday next, the 13th instant, when he will embark on board His Majesty's ship *Buffalo* at eleven o'clock, after which His Excellency Governor Bligh's commission will be publicly read.

SECRETARY MARSDEN TO SIR JOSEPH BANKS. (Banks Papers.)

8 Aug.

My dear Sir, Admiralty Office, 8th August, 1806.

The release
of Flinders.

Having communicated to Lord Howick‡ your letter of yesterday on the subject of the release of Capt. Flinders, I am desired by His Lordship to observe to you that after Captain Mylius§ had been allowed to return to France, he was extremely surprised to

* See *The Trial of Lieutenant-Colonel Johnston*, p. 303.

† See ante, p. 100.

‡ Afterwards Earl Grey. At the time this letter was written he was First Lord of the Admiralty.

§ This is most likely Captain Milius, one of Baudin's lieutenants. After Baudin's death, at the Isle of France, Milius assumed command of *Le Geographe*, and navigated her to France. He was taken prisoner in August, 1805, by the English frigate *Phoenix*, and liberated in June, 1806.



CAPTAIN BLIGH.

(From a Painting by J. Russell, R.A.)

hear that you had written to the French Senator Lacedepede, stating that he had obtained his liberty in consequence of your interference, the circumstance never having been mentioned to His Lordship, and his consent to that officer's release having been granted upon a representation from Sir Rupert George of the state of his health.

1806

8 Aug..

The last messenger from Paris brought a private letter from Lord Yarmouth* to Lord Howick, stating that Captain Mylius had been allowed to negotiate his exchange for any officer of equal rank now a prisoner in France, in consequence of which His Lordship named Captain Brenton.†

Exchange of prisoners of war.

His Lordship desires me to add that, both before and since the release of Captain Mylius, so many officers have been allowed to return to France on their parole for whom no return has been made, that he must decline consenting to the release of more under any circumstances till the French Government shall appear disposed to adopt a more liberal conduct.

I am, &c.,

W'M MARSDEN.

RESULT of General Muster taken at H.M. settlement at Port Dalrymple, the 10th August, 1806.

10 Aug.

Time when taken.—10th August, 1806.

Civil and Military.—80.

Settlers.—On stores, 3.

Free Men.—On stores, 3 ; off stores, 1.

Male Convicts.—On stores, 123 ; off stores, 1.

Free Women.—On stores, 20 ; off stores, 1.

Female Convicts.—On stores, 11.

Children.—Males on, 8 ; off, 1 ; females on, 23 ; off, 1.

General total.—276.

Population of Port Dalrymple.

GOVERNMENT AND GENERAL ORDER.

12th August, 1806.

12 Aug.

At eleven o'clock to-morrow morning His Excellency Governor King will review the New South Wales Corps, and at noon he will embark on board His Majesty's ship Buffalo, when the officers, civil and military, with His Majesty's troops in this garrison, and the other inhabitants, will attend and form in front of Government House to hear His Majesty's commission read, appointing William Bligh, Esq., F.R.S., and a captain in the Royal Navy, to be his Captain-General and Governor-in-Chief in and over this, the territory of New South Wales and its dependencies.

Review of the troops.

The Civil and Vice-Admiralty Courts are dissolved.

* Lord Yarmouth and his family had been detained in France from the commencement of the war until June, 1806. Shortly before his liberation he had discussed with Talleyrand the possibility of opening up with the British Government—through a secret channel—negotiations for a treaty of peace. Upon representing this to the Government, Lord Yarmouth was directed to return to France, and empowered to treat with the French Government. It was, doubtless, during his brief and unsuccessful visit to France (for he was soon recalled) that the letter referred to in the text was written.

† Afterwards Vice-Admiral Sir Jableel Brenton. On 2nd July, 1803, when in command of the *Minerve*, he chased some French vessels in towards Cherbourg, and in a thick fog ran aground under the batteries, and was forced to surrender. He was exchanged for a nephew of Massena, who had been taken prisoner at the battle of Trafalgar.

1806

GOVERNOR KING TO CAPTAIN BLIGH.

12 Aug.

Sir,

Sydney, 12th August, 1806.

H.M.S.
Supply.

His Majesty's late armed vessel Supply, which was condemned by survey in 1799, has been ever since at the King's moorings in this cove, and about three years ago was cut down. From the very rotten state she is now in it is requisite to keep a number of men employed at least one day in the week to keep her from sinking. As I had not a sufficient number of persons that I conceived properly qualified to survey her so as to warrant my ordering her to be broke up, and the great inconvenience that will attend her sinking where she lays, I beg to suggest the propriety of her being surveyed, and if the report meets your approbation I would recommend her being broke up, as the remaining iron and copper work about her will be very useful for the Government purposes in the colony.*

I have, &c.,

PHILIP GIDLEY KING.

LIEUTENANT-COLONEL PATERSON TO VISCOUNT CASTLEREAGH.†

[Extracts.]

Yorkton, Port Dalrymple, Van Dieman's Land,

My Lord,

12th August, 1806.

* * * * *

Port
Dalrymple.

It may not be improper in me to state to your Lordship that the mouth of the river (or rather arm of the sea) on which I have been directed to settle, is the only harbour known on the south side of the important passage of Bass's Straights, that separates Van Dieman's Land from the continent of New Holland, and possesses ample safety for any number of vessels, altho' the entrance is rather difficult, but which I have partly remedied by beacons in the shoals, and shall, when I have the means, entirely so, as far as such obstacles of Nature can be surmounted, the impediments consisting principally in a narrow channel which will be remedied as soon as I have trusty and good pilots.

The only
port in Bass
Strait.

I have always considered this settlement of serious moment solely from the relative situation, which becomes in the extreme more interesting from the circumstance of neither Port Phillip or Western Port on the north side of the straits, and on the south of the continent, being settled, from the considerable obstacles they present, which thus renders this the only port in those straits, the discovery of which must ultimately have the desirable effect of doing away with the necessity of sailing around the South Cape thereby escaping a boisterous passage of ten degrees. And although I have ever conceived that the peculiar advantages of

* In consequence of this letter, Bligh ordered a survey of the vessel; and, in keeping with the report he received, directed her to be broken up, and the iron and copper fastenings delivered into the Government stores.

† At the time this letter was written, Viscount Castlereagh had been succeeded as Secretary of State by the Right Hon. William Windham.



THE RIGHT MON. W. WINDHAM,

SECRETARY OF STATE FOR THE DEPARTMENT OF WAR AND THE COLONIES, 1806-7.

(From a Painting by Sir John Reynolds.)

local situation of this harbour as of sufficient importance to render its establishment positively necessary, yet it has joined to these an immense tract of one of the most beautiful countries in the world.

1806

12 Aug.

The land contiguous to the sea is as in general for the most indifferent, but there are on both sides as low as the mouth tracts of good grazing ground, and this alternation of good and bad soil continues about twenty five miles, from whence the country gradually improves, the verdure increases, the size of our trees diminishes (an invariable proof of the soil increasing fertility) for about fifteen additional miles, when a still superior degree of fertility commences, and continues, gradually improving both sides of the river as far as the cataract, where I have fixed our principal agricultural settlement, in the centre of the most superior tract of arable and grazing country I have witnessed.

Nature of adjacent country.

* * * * *

My headquarters remain in the situation I was necessitated to fix on the Western Arm, but I am yet unable to determine of the propriety of their remaining here, from some inconveniences we encounter in the channel to it; but we have other situations on both sides of the harbour that may be advantageously occupied, and from whence the largest vessels can be unloaded at all times of the tide, an advantage the Western Arm does not possess; but should the apparently valuable ore, of which I have discovered such abundance, be of moment sufficient to induce the attention of Government, this place will be always desirable from its contiguity to the situation of the metal, and from its convenience for many public purposes.

Paterson's headquarters.

I have the pleasure to acquaint your Lordship that my expectations are expressed to the Earl Camden of the improvement of the Highland cattle when removed to the fine pasturage up the country now realizing, the whole of them having withstood the inclemency of the present winter, and are now daily dropping the finest calves, so much benefited indeed by the English cross that the only danger we have to apprehend is the loss of the mother from the size of her young, not from the inability to bring them up, as the richbage on which they have been grazing enables them to afford a plentiful supply of milk, but from their difficulty of parturition with calves so disproportionate to their own bulk. The excellent walks we have for their grazing render our sheep also so superior that I have rarely seen as fine lambs as we have now falling in any part of Europe; and I have the honor to enclose for your Lordship's information a return of the public and private stock we at present possess.*

Live stock.

Three settlers only have yet established themselves here; but by the exertions of those officers who have engaged in cultivation we have this season 53 acres sown in wheat, 23 acres ready for barley, and 4 for potatoes. Although our necessary attention to other

Agriculture.

* See the return on p. 169, post.

1806
12 Aug.

The climate.

Direct
supplies
required.

objects prevented, from the few prisoners His Excellency the Governor has been enabled to spare me, the commencement of any labour in agriculture untill January of the present year, and if the settlers sent to this colony are good characters, and men of industry, they cannot fail of insuring themselves every comfort of independence.

The climate. The climate is in every respect highly favourable for all the purposes of agriculture, and most particularly for the stile followed in Great Britain, to which it much nearer approaches than the temperature of Port Jackson, being, however, somewhat warmer in the summer than the former, with none of those severe months of snow and frost that are experienced there in the winter. It is therefore the laborious English farmer that will be desirable, who must with common agricultural ability, accrue property to themselves and prosperity to the settlement, which will be considerably advanced should your Lordships see it necessary to cause ships to touch here with stores, prisoners, and the settlers direct from England, for the arduous task of compleating the establishment of a new colony will require a strength and assistance I cannot expect from Port Jackson, the extended and extending progress of which occasions within itself the necessity of the whole of its means ; and begging to assure your Lordships that no exertion shall be wanting to render effective His Majesty's intentions in the settlement.

I have, &c.,
W. PATERSON.

Live stock,
the property
of indi-
viduals.

ACCOUNT of Stock belonging to individuals in His Majesty's territory of New South Wales from 28th September, 1800, to 12th August, 1806, with a valuation of the same at those periods, deducting the quantity alienated by the Crown during the above time.

Time.	Horned Cattle.	Horses.	Sheep.	Goats and Swine.	Amount.
28th September, 1800—	@ £37.	@ £80.	@ £2.	@ £2.	£
Individuals possessed	279	173	5,499	1,778	33,717
12th August, 1806	2,433	705	22,218	5,132	161,222
Deduct for the quantity alienated by the Crown.	516	24	485	832	
	1,917	681	21,733	4,300	
1,917 cattle @ £28.. .. .				53,676	161,222
681 horses @ £80.. .. .				54,480	
21,733 sheep @ £2				43,466	
4,300 goats and swine @ £2				8,600	
Total estimated value of stock in possession of individuals, exclusive of killed and decrease by accident					161,222

123

1906
12 Aug.

Live stock
and
increase,
the property
of the
Crown.

Date.	Of whom Purchased.	Horned Cattle.	Calves.	Horses.	Sheep.	Goats and Swine.	Price.	Amount.
20 Sept., 1800	Left by Govr. Hunter	712					£ s.	£ s.
Do.	do.			30			87 0	26,344 0
Do.	do.						80 0	2,400 0
Do.	do.				625		3 0	1,860 0
Do.	do.					80	2 0	60 0
Do.	Purchased of do.	11					37 0	407 0
Do.	Capt'n Wm. Kent	11					37 0	407 0
Do.	Major Foveaux	31					37 0	1,147 0
22 Sept., 1801	Mr. Rob't Campbell	7					28 0	196 0
Do.	do.		2				10 10	21 0
1 April, 1802	Mr. W. N. Chapman				80			for 158 10
17 Sept., 1802	Mr. J. Davidson	25					35 0	875 0
Do.	do.	4					28 0	112 0
2 March, 1803	Mr. Rob't Campbell	250					28 0	7,000 0
Do.	do.		4				8 8	33 12
21 March, 1803	Mr. Balmain	2					40 0	80 0
Do.	do.	2					35 0	70 0
Do.	do.	2					30 0	60 0
Do.	do.	4						for 100 0
Do.	do.		1					for 16 0
Do.	do.			1			30 0	30 0
20 Jan'y, 1804	Mr. John Harris ..				1			for 6 11
2 June, 1804	do.				1			for 4 16
Do.	Mr. Rob't Campbell ..	101					21 0	2,121 0
Do.	Rec'd per Buffalo from Calcutta.	77						for 748 10
Do.	Arabian stallion, paid in part (rem'r by cows).			1				paid 125 0
April, 1805	Landed at Port Dalrymple from the Sydney.	612					25 0	15,300 0
Do.	Landed at Port Dalrymple from the Sydney.		10				5 0	50 0
Total.....								50,122 18
Total value of stock remaining, including those alienated and killed, during the above period.								187,514 0
Total value of produce during the six years								78,391 2

no account is made of the decrease by accidents, or the increase of those alienated.

1806 ACCOUNT of Live Stock in H.M. territory of New South
12 Aug. and its dependencies now belonging to the Crown, &
Government Valuation, from the 28th September, 1800, to the
Live stock. August, 1806, also the value of Stock alienated during
 period. (Extracted from Returns.)

Settlement.	Horses.		Cattle.		Sheep.	
	Male.	Fem.	Male.	Fem.	Male.	Fem.
Sydney, &c.	30	14	1,407	1,747	524	6
Norfolk Island	2	3	16	7	401	6
Hobart Town	1	5	61	183	81	3
Port Dalrymple	2	1	24	263	56	3
Total now in Government's hands.	35	23	1,508	2,160	1,062	15
<i>Alienations—</i>						
Sydney, &c.	3	11	87	306	3	2
Norfolk Island	7	3	..	10	..	1
Hobart Town . . . . .	..	..	..	10	..	..
Port Dalrymple . . . . .	..	..	..	13	..	..
Total alienated	10	14	87	429	3	4
<i>Estimated value of stock in Govt. hands—</i>						£
48 horses at £80 each						3,840
3,658 cattle at £28 each						102,424
2,837 sheep at £2 each						5,674
247 swine at £2 each						494
Total						
<i>Value of stock alienated—</i>						
24 horses at £80 each						1,920
516 cattle at £28 each						14,448
485 sheep at £2 each						970
333 swine at £2 each						666
Total						
<i>Killed and used in lieu of salt meat—</i>						
230 cattle at £28 each						6,440
470 sheep, for the hospitals, at £2 each						940
Total						
Grand Total.						

The foregoing is extracted and abridged from the Returns weekly, monthly, and yearly.

PHILIP GIDLEY

SHIPPING RETURNS.

A List of Ships and Vessels which have Entered Inwards in the Harbour of Port Jackson, in His Majesty's territory of New South Wales, between the 1st day of Jan'y, 1806, and the 12th day of August following, with the lading of each vessel.

Time of Entry.	Vessel's Name.	Master's Name.	Number of			Where and when built.	Where and when Registered.	Owner's Name.	General Cargo.	From whence.	Where and when bond given.
			Tons	Boards	Men						
1806											
Jan. 23	Sydney	Austin Forrest	900	2	130	Java	Calcutta	Campbell & Co.	Ballast	Pt. Dalrymple	Sydney.
" 24	Venus, bq	Jas Stewart	45			Calcutta	"	"	"	Rt. Derwent	"
Feb. 15	Sophia	Jas. Lelohf	250			Bordeaux	Prize to Polley	"	"	"	"
" 16	"	Jas. Lelohf	468	14	40	London	London	St. Barbe & Co.	Miscellaneous merchandise	London	"
" 18	Tellicherry	Thos. Cuzens	119	4	16	Calcutta	"	Birnie & Co.	"	E. Coast of	"
" 22	Star	Jas. Birnie	245	4	36	Nantucket	Nantucket	Gardener & Co.	60,000 seal skins	New Zealand	"
Mar. 10	Favourite	Jon. Paddock	250			Bordeaux	Prize to Polley	Campbell & Co.	64 ton elephant oil	South'd	"
" 19	Sophia	Austin Forrest	45			Calcutta	Calcutta	"	5,000 seal skins	Base Straits	"
" 19	Venus, bq	Saml Chace	185			Sydney	Sydney	"	1 ton black whale oil	Coast	"
Apr 5	King George	Wm. Moody	221	18	26	London	London	Kable & Co.	27 ton sperm oil	"	"
" 7	Arko	John Hoyer	404	20	40	Melford	"	Hullett & Co.	Miscellaneous merchandise	England	"
" 14	Wm Pitt	Andw Meryck	362			Prize	Biddeford	Peter Everitt	40 ton oil, 150 lbs. tobacco	New Zealand	"
" 22	Aurora	Alexr Ferguson	245	18	26	"	London, 1804	Dani Starbeck	Ballast	C. of Peru	"
" 22	Lucy	Win Smith	223	2	23	"	"	D. Bernatt	80 barrels sperm oil, 1 punch rum	England	"
May 4	Atlantic	Peter Chace	230	6	22	Nantucket	"	Hussey & Co.	Miscellaneous merchandise	America	"
" 26	Criterion	Andw Meryck	302			Melford	Biddeford	Dani. Starbeck	40 ton sperm oil	Coast	"
" 28	Aurora	Jas. Birnie	119	4	16	Calcutta	London	Birnie & Co.	Ballast	"	"
June 21	Star	Aaniel Hussey	296	10	27	London	"	Jn. Hill	200 ton sperm oil	Coast of	"
" 25	Britannia	"	622	20	41	Prize	"	"	Miscellaneous merchandise	California	"
July 12	Fortune	Hy Moore	215	10	34	Dartmouth	"	Meatier & Co.	100 ton sperm oil	London	"
" 17	Rd & Mary	Jas. Lucas	256			Nantucket	"	Spencer & Co.	700 barrels	Coast	"
" 22	Brothers	Benjd Worth	312	14	30	French	Nantucket	Obb, Mitchell	Miscellaneous merchandise	"	"
" 23	Vulture	Thos Folger	288	2	17	Prize	London	Mather & Co.	"	New Zealand	"
Aug. 6	Elizabeth	E. Bunker	410	14	60	N. of Eng'd	"	Campbell & Co.	"	London	"
" 7	Simclair	J. H. Jackson	185			Sydney	Hull	Wm. Debourne	150 ton black whale oil	South'd	"
" 9	King George	Wm Moody				"	Sydney	Kable & Co.	"	"	"

J. HARRIS, Naval Officer.

1806
12 Aug.
Shipping
entered
Inwards
at Port
Jackson.

1806
13 Aug.
Shipping
entered
outwards
at Port
Jackson.

SHIPPING RETURNS.

A List of Ships and Vessels which have clear'd Outwards from the Harbour of Port Jackson, in His Majesty's territory of New South Wales, between the 1st day of January, 1806, and the 12th day of August following, with the lading of each vessel.

Time of clearing.	Vessel's name.	Master's name.	No. of		Where and when built.	Where and when registered.	Owner's name.	General cargo.	Whither bound.	Where bond given.
			Tons	Gun						
Jan. 16	Sophia	Wm. Collins	250	20	Bordeaux	.....	Campbell & Co.	Ballast	R. Derwent	Sydney.
" 23	Ceres	Ed. Sharp	125	2	American	London	Dd. Stevens	2,000 sealskins and ballast	England	"
" 23	Sophia	Austin Forrest	250	20	Bordeaux	"	Campbell & Co.	Ballast	"	"
Mar. 3	Eliza	Jn. Richardson	185	0	Delighton	Salem	Pierce	"	China	"
" 25	Star	Jas. Birnie	113	0	Calcutta	London	Birnie & Co.	"	Off New Zealand.	"
April 6	Tellicherry	Thos. Cuzens	468	14	London	"	St. Harbe & Co.	774 feet oak, 7,000 skins	China	"
" 14	Sydney	Austin Forrest	300	2	Calcutta	Calcutta	Campbell & Co.	Ballast	Calcutta	"
" 24	Aurora	Andw. Merryck	302	30	Melford	Biddford	D. Starbeck	40 ton sperm oil	North'd	"
" 27	King George	Wm. Moody	185	33	Sydney	Sydney	Cable & Co.	Ballast	South'd	"
" 29	Venus, bg.	S. Chace	45	14	Calcutta	Calcutta	Campbell & Co.	"	"	"
May 13	Argo	John Bader	231	18	"	London	Huittes & Co.	27 ton sperm oil	Whaling	"
" 27	Atlantio	Wm. Swain	233	2	"	"	Endersby & Co.	50 barrels sperm oil	"	"
June 23	Aurora	Andw. Merryck	302	20	Melford	Biddford	D. Starbeck	40 ton sperm oil	"	"
" 24	Wm. Pitt	John Boyce	404	20	London	London	Peter Everitt	Ballast	China	"
July 20	Faroukita	J. Paddock	254	4	Nantucket	Nantucket	Gardiner & Co.	32,000 sealskins	Canton	"
" 29	Critarion	Peter Chace	233	6	"	"	Hume & Co.	"	Nantucket	"
" 30	Star	J. Wilkinson	119	0	"	"	Birnie & Co.	Ballast	Coast	"

J. HARRIS, Naval Officer.

COLONIAL VESSELS.

127

territory called New South Wales, the 12th August, 1808.

Names.	Rigged.	Tons.	Establishment.	State and Condition.	General or particular Employment.	Number and Statement of Pay to Officers and Men of His Majesty's Colonial Vessels.
Buffalo ..	Ship	..	Navy ..	Fitting for sea ..	Has been once in India, and several times to the different settlements with people, provisions, and stores.	Integrity, £ s. d. 1 master .. 4 0 0 p. mo. 1 chief mate .. 2 5 0 p. mo. 1 second do. .. 2 5 0 p. mo. 1 able seaman .. 8 8 0 p. mo. £202 10s. 0d. a year, or £18 18s. 0d. per month.
Lady Nelson. .	Brig	40	do Tenders	Fit for sea ..	Her crew lent to Extramaria for a particular service.	Resources, £ s. d. 1 master .. 2 5 0 p. mo. 2 men .. 2 16 0 p. mo. £200 12s. 0d. a year, or £18 18s. 0d. a month.
Supply ..	Cond'd hulk	..	Navy ..	Cut down to lower deck.	Has been very useful in the harbour as a bulk, but will scarcely swim.	
Integrity ..	Cutter	60	Colonial; built here, from 1802 to 1808.	In good condition ..	Went to Valparaiso with despatches under a flag of truce. Sailed 30th June, 1808.	
Extramaria ..	Schooner	105	Colonial; former Spanish vessel.	In very good condition, and converted to light water mark. Purchased by auction to replace the Integrity, supposed to be lost or detained ..	Has been four voyages to the settlements at Norfolk Island, Port Dalrymple, and Hobart Town. Will be a most useful vessel to the colony.	
Resource ..	Schooner	30	Built from the Porpoise and (also a plank, 1808)	In good condition ..	Employed between Sydney and Coal Harbour.	
Punt ..	..	12½	Colonial; built here in 1803.	do ..	Employed in the harbour.	
Large cutter ..	12-oared	..	Built here ..	In good repair, but her bottom planks are tender ..	For the Governor's use.	
Two long-boats, coppered.	..	..	Built here ..	In good repair ..	Used about the harbour.	
Two do ..	...	..	do ..	Indifferent ..	One for the use of the hospital and the other about the harbour.	
Four rowing boats.	..	..	do ..	do ..	One fishing, one grass boat, one Parramatta boat, and one at Hawkesbury.	
One 6-oared boat.	..	..	do ..	Good ..	Used about the harbour.	
One 2-oared boat	...	..	do ..	do ..		

PHILIP GIDLEY KING.

1808
12 Aug.

1806
12 Aug.

RETURN of Private Colonial Vessels 12th August, 1806.

Vessels' Names.	Tons.	Men.	Owners.	When Registered.	General Employment.	Remarks.
Hawkesbury ..	18	4	Andrew Thompson ..	12 Mar., 1804	Hawkesbury trade ..	Gone to Otaheite.
Speedwell ..	18	6	do ..	3 Feb., 1804	Straits, skinning ..	..
Hope ..	11	3	G. Blaxcell, Esq. ..	18 Oct., 1802	Hawkesbury trade ..	..
King George, ship ..	185	25	Kable & Co. ..	12 May, 1805	Whaling ..	..
Endeavour ..	31	6	do ..	12 May, 1801	Skinning ..	..
Contest ..	45	6	do ..	20 July, 1804	do ..	..
Marcia ..	26	5	do ..	19 Dec., 1803	do ..	..
John ..	31	5	J. Palmer & Co. ..	11 June, 1803	do ..	..
Fly ..	13	4	do ..	12 Nov., 1803	do ..	..
Edwin ..	16	3	do ..	16 Dec., 1802	Hawkesbury trade ..	..
Richmond ..	18	3	Morely & Watkins ..	1 April, 1805	Hawkesbury and Newcastle	..
William & Mary ..	12	..	Wm. Miller ..	18 Nov., 1800	do ..	..
Raven ..	14	6	Raby and Mills ..	22 Oct., 1800	Skinning ..	..
Argument ..	6	2	Benj'n Peate ..	8 Oct., 1800	Hawkesbury ..	..
Improvement ..	10	2	Jones & Smith ..	6 Jan., 1804	do ..	..
Charlotte ..	16	3	Inch & Co. ..	19 Dec., 1803	do ..	..
Governor Hunter ..	35	6	J. Nichols ..	18 Jan., 1805	Skinning ..	..
Venus ..	20	3	J. McArthur, Esq. ..	6 Mar., 1805	Hawkesbury and Newcastle	..
Little William ..	8	2	Bryan Agan ..	21 Jan., 1803	Hawkesbury ..	..
Margaret ..	7	2	Thos. Gilberthorpe ..	2 Sept., 1805	do ..	..
Elizabeth ..	160	..	Messrs. McArthur & Blaxcell	.....	.....	Spanish prise.

There is also on the stocks, building with permission : A vessel of about tons, building by Mr. Campbell ; one of about tons, building by Thomas Raby ; one of about tons, building by And'w Thompson, at Hawkesbury ; one of about tons, building by Kable & Co., in the room of one they lost. [*The tonnage not given*].

For the above different vessels, bonds, similar to that of the King George, previous to their being launched, should be required and obtained.

PHILIP GIDLEY KING.

of Coal and Cedar (shipped at King's Town for Sydney),
from 28th March, 1805, to 12th August, 1806.

1806

12 Aug.

On Government Account.

Vessel.					Coal.	Cedar.	Total amount.
					Tons.	Feet.	£ s. d.
The Resource	..	..	..	..	3	.....	1 10 0
do	..	..	..	..	..	754	4 14 3
do	..	..	..	..	2	1,687	11 10 10½
do	..	..	..	..	2	2,101	14 6 4½
do	..	..	..	..	..	2,607	16 5 10½
do	..	..	..	..	..	3,519	21 9 10½
do	..	..	..	..	..	2,094	13 1 3
Lady Nelson	..	..	..	..	8	5,800	40 5 0
Contest	..	..	..	..	..	1,508	9 8 6
Venus	..	..	..	..	..	340	2 2 6
do	..	..	..	..	..	400	2 10 0
do	..	..	..	..	..	258	1 16 0
The Resource	..	..	..	..	10	1,834	16 9 3
do	..	..	..	..	6	3,000	21 15 0
do	..	..	..	..	..	500	3 2 6
Governor Hunter	..	..	..	..	..	7,843	49 0 4½
The Resource	..	..	..	..	11	529	8 15 0
Hawkesbury	..	..	..	..	..	630	3 18 9
The Resource	..	..	..	..	15	250	0 1 3
do	..	..	..	..	6	2,180	16 12 6
Governor Hunter	..	..	..	..	..	3,853	24 1 7½
The Resource	..	..	..	..	9	2,633	20 10 1½
do	..	..	..	..	9	2,450	19 16 3
Venus	..	..	..	..	15	.....	7 10 0
do	..	..	..	..	8	1,700	14 12 6
Resource	..	..	..	..	7	2,000	21 12 6
Total					111	51,391	376 7 1½

1806

12 Aug.

RETURN of Coal and Cedar—continued.
On Private Account.

Date.	Vessel.					Coal.	Cedar.	Prisoners' labour and tools	Total amount.
1805—						Tons.	Feet.	£ s. d.	£ s. d.
May 13	Per	Marcia	..	..	..	3	2,204	0 6 0	15 11 6
July 7	do	Fly	..	..	..	10	....	.....	5 0 0
July 26	do	Hawkesbury	..	..	..	3	2,863	.....	19 7 10
July 25	do	Governor Hunter	..	..	..	6	5,552	1 13 0	39 7 0
July 27	do	Raven	..	..	..	..	2,118	0 12 3	13 17 0
Aug. 12	do	Governor Hunter	..	..	..	7	5,904	0 3 0	40 11 0
Aug. 13	do	Raven	..	..	..	..	2,078	0 10 6	13 10 3
Aug. 24	do	Contest	..	..	..	4	3,546	0 2 0	24 5 3
Aug. 24	do	do (Mr. Lord)	..	..	..	..	428	.....	2 13 6
Aug. 31	do	Governor Hunter	...	..	..	10	1,505	0 14 0	15 2 1
Sept. 27	do	Contest	..	..	..	2	6,552	0 0 6	41 19 6
Sept. 27	do	do (Mr. Lord)	..	..	..	..	560	.....	3 10 6
Oct. 17	do	Richmond	..	..	..	1	3,313	0 14 0	21 18 1
Oct. 31	do	Contest	..	..	..	8	5,507	.....	38 8 4
Nov. 6	do	Venus	..	..	..	..	3,548	.....	22 13 6
Nov. 26	do	do	..	..	..	..	3,944	0 14 0	25 7 0
Dec. 13	do	Contest	..	..	..	6	6,334	0 1 6	42 13 3
Dec. 13	do	Venus	..	..	..	..	3,982	0 14 0	25 11 9
Dec. 27	do	do	..	..	..	..	4,022	0 14 0	25 16 9
From 29th May to 21st November, 1805 (Sawyers), on account of Kable & Co.							28,247	.....	176 10 10
1806—									
Feb. 17	Per	Hawkesbury	..	..	..	6	2,841	.....	20 15 1
Feb. 22	do	Governor Hunter	..	..	..	23	1,070	0 2 0	18 5 9
Feb. 27	do	Marcia	..	..	..	2	1,914	0 0 6	12 19 9
Mar. 16	do	Governor Hunter	..	..	..	4	....	0 1 0	2 1 0
April 11	do	Hawkesbury	..	..	..	2	1,704	0 1 0	11 14 0
April 22	do	Edwin	..	..	..	3	2,036	0 1 0	14 5 6
May 26	do	Richmond (Messrs. Wells & Reiby)	..	..	..	..	1,308	.....	8 3 4
May 22	do	do (Mr. J. Morley)	..	..	..	13	....	.....	6 10 1
June 13	do	Contest	..	..	..	30	....	0 0 0	15 6
July 9	do	Hawkesbury	..	..	..	15	....	0 3 0	7 13
July 16	do	Contest	..	..	..	15	....	.....	7 10
Aug. 9	do	do	..	..	..	35	....	.....	17 10
Total						209	103,080	7 13 3	756 8

C. THROSBY

GENERAL STATEMENT of the Inhabitants of His Majesty's Settlement on the Eastern Coast of New South Wales, the 12th day of August, 1806, and State of the Settlements at Norfolk Island, Hobart Town, and Port Dalrymple to that period.

Settlement.	Civil Department Vctualled.														Military Department Vctualled.														Loyal Association, Sydney and Parramatta.				Total Number of Loyal Association Vctualled.					
	1 Assistant to Governor & Commandants.	1 Deputy Judge Advocate.	1 Commissary.	1 Principal Surgeon.	1 Deputy Provost-Marshal and Secretary to the Governor.	1 Chaplain.	1 Assistant Surgeon.	1 Surveyor of Lands (acting).	1 Deputy Commissioner (acting).	1 Militiaman.	1 Boat Builder.	1 Clerk to the Commissary.	1 Superintendent and Store-keeper.	1 Women of Civil Department.	1 Children of Civil, above 10 years.	1 Children of Civil, above 2 years.	1 Children of Civil, under 2 years.	1 Major.	1 Captain.	1 Lieutenant.	1 Ensign.	1 Adjutant, 1 Quartermaster, 1 Paymaster.	1 Surgeon.	1 Sergeant.	1 Drummer and Fifer.	1 Privates.	1 Women of Military Department Vctualled.	1 Children of Military, above 10 yrs.	1 Children of Military, above 2 yrs.	1 Children of Military, under 2 yrs.	1 Total of Military Department Vctualled.	1 Captain.	1 Lieutenant.	1 Sergeant.	1 Drummer and Fifer.	1 Rank and File.	1 Total Number of Loyal Association Vctualled.	
Sydney	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Parramatta	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Hawkesbury	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Newcastle	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Total	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Norfolk Island	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Hobart Town	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Port Dalrymple	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Total	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

**1806
12 Aug.
Population**

1806
12 Aug.
Population.

GENERAL STATEMENT OF INHABITANTS OF HIS MAJESTY'S SETTLEMENT—continued.

Settlement.	Orphans Victualled from the Store.				Number of Prisoners and Others Victualled from the Public Store.			Total Number of Prisoners, &c., Victualled.				Number of different Rations issued.				Total Number of Full Rations issued.		Total Number of Persons Victualled from the Store.		People not Victualled from the Store.		Children.		Total Number not Victualled.		Men. and Landholders not Victualled.		Total Number of Settlers and Landholders not Victualled.		Total Number of Souls in the Settlement.	
	Men.	Women.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Full.	Two-thirds.	Half.	Quarter.	Total Number of Full Rations issued.	Total Number of Persons Victualled from the Store.	Men.	Women.	Children.	Total Number not Victualled.	Men.	Women.	Settlers and Landholders not Victualled.	Total Number of Settlers and Landholders not Victualled.	Total Number of Souls in the Settlement.											
Hulmev	14	326	37	4	42	8	417	758	95	172	92	9134	1,067	1,703	504	1,305	2,572	588	412	1,000	7,052	26	26								
Warramatta	10	613	65	1	04	22	775	750	88	80	40	853	978	1,703	504	1,305	2,572	588	412	1,000	7,052	26	26								
Hawkesbury	2	67	8	5	24	3	77	71	18	28	8	974	122	1,703	504	1,305	2,572	588	412	1,000	7,052	26	26								
Newcastle	2	60	22	2	2	74	74	62	24	1	861	180	1,703	504	1,305	2,572	588	412	1,000	7,052	26	26									
Total	26	1,040	132	10	132	43	1,363	1,648	225	230	76	1,9514	2,254	1,703	504	1,305	2,572	588	412	1,000	7,052	26	26								
Norfolk Island	..	164	50	8	100	0	326	100	0	203	572	185	137	322	454							
Robert Town	..	274	58	11	6	18	367	335	92	9	467	467	9	9	475							
Port Dalrymple	..	120	26	13	13	..	162	200	31	31	245	271	1	6	916							
Total	26	1,603	260	20	251	70	2,316	2,301	412	409	114	2,805	3,053	1,908	583	1,307	4,206	622	412	1,000	8,503	26	26								

Jno. Palmer, Commissary.

maize, &c., belonging to the Crown Settlers and others, with the number of Settlers, &c., in His Majesty's colony of New South Wales, as appeared at the muster taken at the different settlements by His Excellency Governor King, between August, 1805, and August, 1806, showing the increase and decrease since August, 1805.

To whom belonging.	Number of acres in—										Horses.		Horned cattle.		Sheep.		Goats.		Swine.		Bushels in hand.			Number of settlers.
	Wheat.	Maize.	Barley.	Oats.	Pease and beans.	Potatoes.	Orchard & garden.	Pasture.	Fallow.	Total num-ber held.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Wheat.	Maize.	Barley.	
The Crown ..	150	172½	....	..	1	..	7	80915	854	82099½	17	17	1410	1748	508	560	..	..	21	170	1700	450	..	..
Military Officers ..	76½	50	2½	11	..	4½	18½	19430½	1103½	20097	32	67	250	474	2783	4309	17	88	35	16	147	317	..	..
Civil Officers, &c. ..	563	144	77	18	..	10	29	12424½	2358	15619½	54	61	160	296	1759	3044	67	125	159	130	429	153	29	..
Settlers ..	5280	3510	923½	51	34½	171½	378½	92710½	5079½	48149	134	152	361	563	2847	5502	566	1419	3340	2953	2073	4108½	160½	..
Individuals not hold- ing land.	....	....	....	..	..	..	..	....	..	....	10	8	22	2	17	38	4	22	39	75	150	146½	2	..
Total in August, 1806	6075½	3876½	1003	80	35½	185½	433	145481½	9395	166565½	247	305	2203	3083	7914	13543	654	1604	3644	3344	4499	5174	191½	646
Total in August, 1805	6777	4827½	1058	44½	47½	294½	545½	123770½	6737	144067	219	298	1743	2582	7734	12883	1279	2531	14689	8361	35510	90088	..	637
Increase ..	....	....	....	35½	..	..	..	21710½	2658	22493½	26	7	400	501	180	660	..	..	..	..	..	....	191½	9
Decrease ..	701½	961	55	..	11½	108½	112½	....	..	....	..	..	..	..	..	..	925	927	11045	5017	3101½	90914	..	..

PHILIP GIDLEY KING.

1806
— Aug.
Agriculture,
and
live-stock.

1806

OBSERVATIONS ON MUSTER.

— Aug. OBSERVATIONS on the preceeding result of the yearly muster, &c., since that of August, 1805.

Land-holders.

It appears there are 9 more persons holding ground exclusive of officers, and that two free settlers have arrived from England. The whole number of settlers and land-owners, including 43 officers, is 689.

Agriculturists.

That the whole numbers employed in cultivation and belonging to the cultivators' families, including the cultivators on account of Government and those who are in charge of public stock, amounts to 3,018 out of the number of souls in the colony—7,148, including Newcastle.

Land grants.

The increase of ground located to individuals is 22,498 acres, 9,000 of which were located by order of the Secretary of State to Messrs. McArthur, Davidson, and Blaxland ; 3,300 to Major Johnston and Captain Abbott, whose claims I considered admissible for their services in quelling the insurrection in March, 1804 ; to officers who have performed public duties without salaries, and as remuneration for meritorious conduct, 2,814 acres ; and the remaining 7,384 acres have been distributed, as stated in a separate document, in the respective proportions to settlers free from England and admitted as such into the colony.

Ground under cultivation.

The increase [? decrease] of ground under general cultivation appears to be 1,940 acres, in attributing which to the devastation occasioned by the inundation at the Hawkesbury in March last, yet I cannot but be gratified at the great exertions made by every individual to get 11,254 acres under a general crop, notwithstanding the almost total loss of seed and the settlers straitened circumstances occasioned by the above misfortune. Whilst the increase of cattle, 961, may be considered a fair produce ; yet I am sorry to remark that there has only been an increase of 840 sheep, which, with the other disappointments the colony has laboured under during the last year, can only be attributed to the unheard of inclemency of the weather in this climate and which has occasioned the severe losses stated in a separate document.*

Swine.

The decrease of swine can only be attributed to the loss of those animals in the flood, and the consequent destruction of the remainder from the scarcity of grain that followed. It may be hoped that the remains of that kind will considerably increase after the harvest.

Grain in hand.

Respecting the small quantity of grain remaining for the consumption of the inhabitants until the ensuing harvest in December, it must be observed that upwards of 87,210 bushels belonging to individuals were irrecoverably swept away by the inundation in March last, exclusive of the grain in other parts of the colony being greatly reduced by the depredation of the fly-moth. Great inconvenience will be experienced by many until the ensuing harvest ; but if individuals use the same œconomy as is adopted by

Government with those it has to maintain, their wants, with the resources of their gardens, may be much alleviated till that period; and from the present appearance of the growing crops, it is hoped they will yield the following proportionate increase:—

1836
— Aug.

Acres.		@ bushels per acre.		bushels.
6,075½	wheat	...	12	72,900
3,876½	maize	...	25	96,900
1,003	barley	...	25	25,075
80	oats	...	25	2,000

The above produce is liable to the casualties of all crops, and perhaps the growth of wheat in no country is more precarious than in this, whilst that of maize yields a certain produce; but taking the above as a probable return, and only calculating on the wheat and half the maize, say 50 lbs. to the bushel of wheat, and deducting 10,000 bushels for seed, would be sufficient for 33 weeks at 10 lbs. each person a week for 9,000 souls being about 1,000 persons more than are at present in the colony. And calculating the maize at 50 lbs. per bushel, and consumed at the rate of 15 lbs. each person a week, would last 18 weeks, making together 51 weeks, leaving the residue of half the maize, viz., 48,450 bushels, 2,500 bushels of barley, and 2,000 bushels of oats for the stock and other exigencies, which it may be hoped the arrival of ships with rice will amply provide for until the colony can recover the severe losses it has lately experienced.

Prospects of
the harvest.

PHILIP GIDLEY KING.

PRESENT State of His Majesty's Settlements on the East Coast of New Holland, called New South Wales.*

12th August, 1806.

12 Aug.

The Governor.—As Chief Magistrate and Commander-in-Chief, has the direction and control of every act and person, civil, military, and naval; also of the settlers, convicts, and every other description of persons; also the regulation of the commerce and shipping that frequents the ports of this territory. In executing these trusts, exclusive of the painful tasks delegated to him as the executive authority in directing the sentence of the law to be executed, he attends the detail of all the civil officers' duty; regulating, controuling, and economising the public expenses; investigating and deciding on all appeals interposed in civil causes according to the patent; and from the peculiar nature of the inhabitants, his constant attention is requisite to keep order and regularity. Attending to the wants and requests of all descriptions; fixing settlers and allotting lands; inspecting all public works and employments, and observing the progress and employments of those who are not under the sentence of the law or free men. Added to all which, and the consequent responsibilities and anxieties, his care and attention must be attached to the distant settlements under his government, viz.,

Duties and
powers of
the
Governor.

* This statement is in the handwriting of Governor King. It bears evidence of having been carefully revised by him, and is much fuller than that dated 31st December, 1801, published in vol. iv, pp. 651-670.

1806 that of Norfolk Island, Hobart Town, and Port Dalrymple or Van
12 Aug. Dieman's Land. These, and his own correspondence with the
different departments of His Majesty's Government at Home,
require the most arduous exertions of body and mind.

* * * * *

The Judge-
Advocate.

Deputy Judge-Advocate.—To whom is confided the administra-
tion of justice in its various branches under the patents for the
Criminal, Civil, and Admiralty Courts of Judicature. By the
patent he is constituted a magistrate as such, and being Judge-
Advocate, he presides at the Bench of Magistrates, and reports all
judicial proceedings to the Governor. He is also Registrar of the
Court of Vice-Admiralty and notary publick.

The Provost-
Marshal.

Provost-Marshal.—Is the ministerial officer of the executive
authority and the Courts of Judicature. The duty of this officer
is considered to be as conformable as local circumstances admits to
that of Sheriff in England. This situation is become of great
responsibility and trust in the present extended state of the terri-
tory and its dependencies.

The
Secretary
to the
Governor.

Secretary to the Governor or Government.—Has the charge of all
official papers and records; transcribes the public despatches; makes
out grants of land and all deeds or other instruments under the great
seal of the territory; has the care and examination of the registers of
convicts' transportation; and writes all Colonial correspondence by
the Governor's directions. As this office requires a person of discre-
tion and confidence, I am well convinced of the necessity of a public
Colonial Secretary being appointed and a private secretary being
allowed the Governor, who would, if well chosen, be of the greatest
public benefit and facilitate the public service of the territory.

The Com-
missary.

Commissary.—Is charged with the receipts, purchases, and expen-
diture of all provisions and stores belonging to His Majesty under
the Governor's directions. His instructions from the Lords of the
Treasury, dated 1st November, 1798,* point out the particular duties
of this officer. Two Deputy Commissaries are allowed, one of whom
acts under him, and the other has charge of the provisions and stores
at Parramatta; one storekeeper at Hawkesbury and one at Sydney,
with a superintendent, who acts as storekeeper at Newcastle. He
has also two clerks on the establishment, with several convicts, who
write and assist at the receipt and distribution of the objects under
his charge. The Deputy Commissary and storekeepers are charged
with the issue of provisions to those victualled from the public stores
by written orders from the Governor to the Commissary, making
their weekly returns to the Governor through the Commissary of
all receipts, expenditure, remains, and the numbers victualled or
discharged from the victualling list, which returns are repeated
quarterly and yearly by the Commissary's annual accounts, one set
of which are delivered to the Governor, who transmits another set
to the Principal Secretary of State for the Colonies, and another set

The Deputy
Commissary
and store-
keepers.

* See these Instructions, vol. iii, p. 500.

are sent by the Commissary to the Commissioners for Auditing Public Accounts; the whole being inspected by the Governor, before whom the Commissary attests the truth of these accounts. No article is received into or issued from the stores on any account but by a written order with the Governor's signature, which part of his duty is not the least perplexing, and in many cases unpopular, constantly occupying one entire day in the week. These orders and returns are so many checks on the Commissary's accounts. The duties of this department are much increased by the Commissary being charged with articles supplied by Government and given to the inhabitants in barter for grain and animal food at the advance of 50 p. cent. above the prime cost. These duties and the exactness required in keeping those voluminous accounts, which are required to be sent to England twice a year, and the necessary correspondence with the different boards, requires the unremitting care and constant attendance of the principal and those employed under him in that department, which, if properly attended to, would leave no time for any other pursuit or employment.

1806
12 Aug.
Stores
issued only
on
Governor's
signature.

Chaplains.—Since Mr. Johnson's resignation* in 1801, that duty has been performed by the Rev. Mr. Marsden with much assiduity and zeal. A church is built at Parramatta, and one of stone is far advanced at Sydney, the first of which has obtained the name of St. John, and the latter that of St. Phillip. Exclusive of Divine service being performed each Sunday at those settlements, two missionaries† of good character perform Divine service at Hawkesbury, Castle Hill, and Kissing Point, with great advantage to the inhabitants. After a residence of thirteen years, Mr. Marsden has obtained my leave to go to England on account of indisposition and to arrange his private concerns; and that the important duties of religion may not be neglected, the Rev. Mr. Fulton, chaplain of Norfolk Island, does Mr. Marsden's duty in these settlements during his intended absence.

The
clergymen.
St. John's
and
St. Phillip's.
Rev. Samuel
Marsden.

Principal Surgeon.—Has the charge and superintendence of the hospitals; makes his daily and occasional reports to the

*The only record we have of Johnson's resignation is that after he returned to England on leave he informed Under-Secretary Sullivan *verbally* that his health would not permit him to resume his duties. He sailed for England in October, 1800, in H.M.S. Buffalo with Governor Hunter. Writing to the Duke of Portland, on 10th March, 1801 (vol. iv, p. 325), Governor King requested, as there was only one clergyman in the colony (and none at Norfolk Island), that the Rev. Mr. Johnson be directed to return as soon as possible or another clergyman appointed in his stead. He again referred to the subject on 21st August, 1801 (ib., p. 500); but in June, 1802 (ib., p. 782), we find him in possession of information (of what nature he does not say) concerning Johnson's determination not to return to the colony. Lord Hobart, writing to King in January, 1802 (ib., p. 688), stated that it was probable Johnson would not return to the colony. But little is known of Johnson's movements after his return to England. In the year 1809 he was curate of the parish church at West Thurrock, Essex (his name, in his own handwriting, is still extant in the Book of Curates). The church in which he officiated in this little village is only a few yards from the wall, or defence from the high tides of the River Thames. It was erected in 1171, and is now in a very dilapidated condition, and quite unfit for use in winter. It was largely used by East Anglian pilgrims to Canterbury, before they took the ferry for the Kentish shore, and by reason of this circumstance was known as the Pilgrim Church. In 1810 he was appointed to the Rectory of St. Antholin, and in 1817 to the curacy of Ingham in Norfolk. He died in March, 1827.

† Messrs. Hassall and Crook.

1806	<p>Governor ; resides at Sydney, and accounts with the Commissary for all stores and necessaries received quarterly. He has under him four assistant surgeons, or mates, one of whom is stationed at Sydney, one at Parramatta, one at Newcastle, and one acting-assistant is appointed to Norfolk Island, in the room of one suspended until the sentence of a General Court-Martial passed on him is decided on by His Majesty ; exclusive of which twenty persons attend the hospitals in the capacity of overseers, dressers, wardsmen, gardeners, boatmen, &c., with nurses, all of whom are selected from the convicts, and of course receive no other reward than their maintenance by the public. All persons of the civil department, prisoners and others employed by Government, are received into the hospitals, where they are supported by the Crown during their illness and convalescence, having the advantage of fresh meat from the Government stock and other necessaries that the surgeon requires and the stores can afford, the latter of which are at times very confined on account of the difficulty of obtaining regular supplies. The convicts assigned to individuals are also received into the hospitals, on condition of the master maintaining them fourteen days ; if, at the expiration of that time, the patient's longer stay is necessary, it is at the option of his employer to continue victualling him on condition of his employment when recovered, or to give him up to Government, by whom he is supported and employed after his convalescence. The advantage of the accommodation to the individual is sufficiently obvious, the intent being to prevent the settler from sustaining a loss of labour and an unprofitable drain of his resources.</p>	
12 Aug.		
The Principal Surgeon and his assistants.		
Admission of patients to hospitals.		
Assigned convicts.		
Labourers.	<p>It has on several occasions been found necessary to admit labourers of that description, who are not under the sentence of the law, or have expiated it, and whose means were not sufficient to support them under illness that confined them to the hospital for medical treatment. In these instances the applicant receives the Governor's order for his being admitted and if necessary to be victualled at the hospital ration from the stores, for which he works a proportionate time for Government when recovered. It has been doubted, and even disputed, whether the medical gentlemen ought to attend sick settlers and other freemen not victualled from the stores or employed by the Crown. Whatever argument has been used by the interested in support of so extraordinary a principle, it has been a decided measure with me that the surgeons should [? not] object to attend every description of subjects, whether connected with Government or not* ; the contrary idea was carried so far that in two instances it became necessary for the Principal</p>	

* An interlinear correction was made by King in this sentence. As originally written it read : " It has been a decided measure with me that the surgeons can have no reasonable objection to attend every description of persons, being British subjects, whether connected with Government or not." In making the correction, King apparently omitted the negative which has been inserted in brackets.

Surgeon* to apply for a General Court-Martial on two assistants, one of whom was sentenced to be severely reprimanded, and another cashiered ; and as the doubt has been removed of these gentlemen being subject to the Mutiny Act, these misunderstandings have ceased. However, that every admissible advantage may be enjoyed by persons whose education has been liberal, and whose pay is so very inadequate† to their situation, they are allowed to require payment from settlers and other individuals who are not servants of the Crown, and whose circumstances can afford it, which concession by no means precludes their attending those who cannot afford that recompence. The strongest measures have been adopted to prevent the convict servants of the hospital from imposing on the credulity of several unfortunate people by vending medicines they have purloined and administering them to the ruin of the unwary patient's constitution. Exclusive of the gentlemen on the Medical Establishment, leave has been given to some well-behaved practitioners (who have incurred the penalty of the law) to assist such patients as choose to employ them ; and several inquiries into their practice and treatment have established their ability and the use they are of to the community. It is true that the climate is among the most healthy ; still the sudden transitions from heat to cold are considered bad for chronic and pulmonary patients—excepting which a general good state of health prevails.

Surveyor-General of Lands.—The nature of his office is designed by its name. He surveys all grants and leases, and makes roads under the Governor's authority and by his warrants.

All the preceding officers have commissions or constitutions under the Crown except the two storekeepers.

Boatbuilder and Shipwright.—Has the charge of the dock-yard and the artificers, laborers, &c., in that department. His employment is building and keeping in repair the Government Colonial vessels, boats, and small crafts. He has been much employed in selecting ship timber for England, and attending to the repairs of such King's ships as are stationed or occasionally arrive, and is a most useful and necessary officer.

Nine Superintendents.—John Jamieson has charge of all Government herds of cattle and horses, sheep, &c., with the convicts who take care of them ; appropriates the stock by the Governor's orders, countersigned by the Commissary, to whom he makes weekly reports of the receipts, increase, decrease, and appropriations, abstracts of which are transmitted yearly by the Governor and Commissary to the Principal Secretary of State for the Colonies and to the Lords of the Treasury.

1806

12 Aug.

The cases of
Mileham and
SavageEmoluments
of the medi-
cal staff.Medical
attendants.The
Surveyor-
General.Boat-
builders.The Superin-
tendents.John Jamie-
son.

* Thomas Jamieson. The assistant surgeons were Messrs. Mileham (who was censured) and Savage (who was cashiered). See Jamieson to Camden, 20th July, 1805, vol. v, p. 607. The sentence on Savage was not confirmed by the British Government, and he was ordered to be released from arrest and restored to the functions of his Commission. See the Judge-Advocate to the Duke of York, 24th April, 1806, ante, p. 70.

† The Principal Surgeon received £365 per annum. There were four assistants during King's time—one paid £182 10s. ; two, £137 17s. 6d. each ; and one, £91 5s. per annum.

1806

12 Aug.

Nicholas
Divine.Richard
Rouse.

Nicholas Divine* superintends the gangs of convicts at public labour at Sydney ; loading and unloading vessels belonging to Government ; makes weekly returns of the convicts employed and their labour.

Richard Rouse superintends and has charge of the public buildings, carpenters, blacksmiths, sawyers, wheelwrights, timber carriages, wood carts, &c., at the Government yards, Parramatta, Sydney, and occasionally at Hawkesbury, making weekly reports to the Governor.

Peter
Hodges.Francis
Oakes.George
Mealmaker.

Peter Hodges superintends the blacksmiths.

Francis Oakes, head constable at Parramatta and for the interior, acts under the magistrates' directions, and is a most useful officer.

George Mealmaker superintends and has the charge of the manufactories of linen and wool at Parramatta, and of the convicts (male and female) employed on that object, under the inspection of the Governor and magistrate in command at Parramatta, to whom and the Commissary he reports the progress of those works, and quantity of linen and woollen which is delivered into the stores, and either issued to those at public labour or disposed of in barter for grain or animal food.

R. J. Robin-
son.

Richard John Robinson superintends the Government mills, receives grain from the stores, returns the ground meal, receives and accounts for the toll or grain ground for individuals. This is a very necessary and beneficial employment for the public advantage.

Isaac
Knight.

Isaac Knight superintends the agricultural settlement at Castle Hill, under the direction of the Governor and the officer in command at Parramatta, to whom he makes weekly returns of labour and grain, &c., delivered to His Majesty's stores.

William Sutton, employed as storekeeper at Newcastle.

The magis-
trates.

Magistrates.—From the distribution of the superintendents (some of whom have been necessarily drawn from among well-behaved convicts who are become free) it will be obvious that they are ineligible for the entire superintendence of Government concerns and keeping order. Some officers in whom a confidence has been placed superintend the general direction of public affairs, under the Governor's inspection, at each settlement, and also act as magistrates either for the particular district they are resident in or generally for the county of Cumberland. At Sydney the following gentlemen act, and occasionally attend at other places, viz :

Magistrates
at Sydney.

Richard Atkins, Esq., *ex officio*, as Judge-Advocate.

Major Johnston, commanding the military.

Thos. Jamison, Esq., Principal Surgeon.

John Harris, Esq., Surgeon of N.S.W. Corps, also superintends the police and naval office.

John Houstoun, Esq., second commander of His Majesty's ship Buffalo.

* Very often spelt "Devine." See note on page 345, post.

strates at Parramatta are the Rev. Samuel Marsden, and Capt. Edward Abbott, of the New South Wales former having for the last seven years had the direction of public concerns in that quarter under the Governor's orders, as well as his clerical office and that of a magistrate, performed with much advantage to the public.

Colonel, an invalided assistant surgeon, has also acted as a magistrate, and had the inspection of all public concerns in the settlements at the Hawkesbury.

When gentlemen's services are required in the most invidious office, an officer can be placed in, I considered them deserving of such distinctions as were in my power to bestow with propriety; and I am not denied that their general attention has been productive of much public security and general benefit to the inhabitants of the colony.

The services of the magistrates are remunerated with the labour of the convicts each, victualled at the public expense, which averaged at less than £20 a year for each convict; and officers who unite the duty of conducting the public concerns of the colony, more convicts are added, exclusive of which some of the magistrates received grants of land and other accommodation for their families and services, for which there has been no other means of remuneration than by having recourse to the public purse. In such cases it is necessary that the executive authority should avail itself of persons whose activity and intelligence points them out as most fit to execute such duties as are not provided for in the establishment, among which there are few more necessary than that of a superintending officer of police, which requires a person of activity and zeal to counteract, prevent, and bring forward the offenders and seditious characters with which the colony is beset. Such an officer was found in Mr. Harris, Surgeon of the New South Wales Corps, and who acts as a magistrate, whose unwearied attentions to that and the other offices he has been productive of much benefit to the inhabitants of the colony. As superintendent of the police, the constables, &c., are under his direction. He daily reports such circumstances as may be connected with or have a reference to the police, and his salary does not exceed that allowed to the other magistrates.

One of these gentlemen sits as magistrate for the week; hears cases in the first instance. If he cannot decide on the case, it is heard on the Sessions days—Tuesdays and Saturdays. No person is to inflict a severer corporal punishment than fifty lashes, if the Governor is absent, or without his approbation; but in the present, all proceedings in and out of Sessions are submitted to him previous to their being carried into execution. Persons who are committed to gaol, they cannot be released but by the Governor's orders or by due course of law.

1808

12 Aug.

Magistrates
at Parramatta;at the
Hawkesbury.Duties of the
magistracy.

Their remuneration.

Surgeon
Harris.Duties and
functions of
magistrates.

1806
12 Aug.

The magistrates sign removing permits for spirits when landed also passes for convicts and free persons not settlers removing from one settlement to another, and passes to visit ships. They also recommend proper persons to hold annual licenses for the retail of spirits, butchers, and bakers, according to the General Orders; and also recommend persons as constables and watermen; and are consulted with by the Governor on such points of public duty as appear to require their opinions for his guidance.

The Naval
Officer's
duties.

Naval Officer.—Enters and clears all vessels into and out of the port of Sydney; collects and receives the prescribed duties and fees, as stated in the General Orders, for the gaol and Orphan Institution, which is accounted for annually on the 31st December. On a vessel's arrival, he is the only officer authorised to go on board to deliver the Port Orders and such other directions as he may be charged with from the Governor, whose orders he receives for the admission flag to be hoisted. The requisite bonds given by the masters of ships are made in his name. He also reports all irregularities in the pilots and everything that concerns the police afloat to the Governor; and has the direction of the Colonial Government craft under the Governor's directions.

The military
establishment.

Military Establishment.—Consists of His Majesty's New South Wales Corps and two companies of the Sydney and Parramatta Associations, of whom the following is a statement of their present distribution:—

Where Stationed.	Field Officers.	Captains.	Subalterns.	Adjutant.	Staff.			Sergeants.	Drummers.	Rank and File.
					Paymaster.	Quartermaster.	Surgeon.			
Head-quarters and adjacent outposts:—										
Head-quarters, Sydney	..	2	3	1	..	1	1	17	10	383
South Head	6
George's Head	4
Newcastle	1	..	15
Parramatta and adjacent outposts:—										
Parramatta	..	1	1	..	..	..	..	4	2	74
Hawkesbury	11
Cabramatta	5
Port Dalrymple	..	1	1	8	..	..	..	4	2	65
Norfolk Island	1	..	..	..	..	1	2	12
Absent by leave	..	2	3	..	..	..	..	..	..	..
Not joined	..	2	..	..	..	..	..	..	..	..
On command to Europe	1	..	..
Furlough to Europe
„ India
Total	..	3	6	11	1	1	1	23	16	49

N.B.—Paymaster suspended; 3 sergeants, 1 drummer, 60 rank and file (supernumerary) doing duty at head-quarters, not included. **Grand Total—5**

The officers and soldiers occupy comfortable barracks at each station. The married soldiers of good character have been allowed to build and inhabit small houses, which are regularly laid out with garden ground to each, and forms a decent street in continuation of the line of the barracks, their gardens affording them the means of supplying their families; and being two days off guard, they are usefully employed for themselves as well as the community in general.

1806

12 Aug.

Barracks,
&c.

Five women, with their families, are allowed to be victualled to each company of 74 soldiers, and since the late scarcity a number of children belonging to the soldiers (who must otherwise have suffered greatly from actual want) have been necessarily victualled, making in the whole since August, 1805, 145 full rations, which may be considered a further expence attending the military establishment of £2,320; but that sum will be greatly lessened when a full ration is served the soldiers, as the increase above the five women and families to each company was only occasioned by the temporary distress, consequent on the late uncommon flood, and was intended to cease with returning plenty.

Women and
children
victualled.

Formerly every non-commissioned officer had a convict servant, which I discontinued; and the military and civil officers were not allowed less than two convicts, some having more. By an order received from the Secretary of State, in January, 1803 [? 1804],* when the salaries of some of the civil officers were increased, I was directed not to allow any servant to an officer, when Col. Paterson stated the impossibility of the military officers furnishing their barracks with the allowance of coals, candles, and that the allowance of the convict servant to each officer living in barracks would be a sufficient compensation in lieu of those supplies (which I well knew could not be furnished in a cheaper or more satisfactory manner). I complied with his request until instructions might be received, which I solicited from the Minister; and not having received any intimation thence, that allowance continues, as also to the civil officers of small salaries living in barracks which were not increased.

Convict
servants to
officers.

When a spirit of turbulence was discovered among the Irish convicts, it was found necessary to embody two companies, called "the Loyal Sydney and Parramatta Associations"—the first composed of forty and the latter of thirty-seven officers and privates. The commissioned officers were officers of the civil department, and the privates selected from volunteer free housekeepers. They are victualled from the public stores and receive an annual suit of uniform clothing, which occasions an expence to the public of about £1,200 a year, the terms of their enrolment being as similar as possible to the Association in England. Events have fully justified the policy and necessity of these companies being continued.

The Loyal
Associa-
tions.

* See Hobart to King 5th April, 1803, vol. v, p. 84. The letter was no doubt sent by H.M.S. Calcutta, which sailed in May, 1803, and arrived at Sydney the last week in December.

1806 After the insurrection in March, 1804, was quelled, it became necessary to establish a place of arms where a defence could be made on any external or internal attack. The plan of a fort was determined on and began to be built of stone on the 25th June, 1804. The following is the progress of the work on the 12th August, 1806: The ditch dug round and the foundation-stone of the outer wall of the rampart laid 13th Sept., 1804, and then received the name of "Fort Phillip," in honor of the first Governor of the territory, 15th March, 1805. The rampart, merlons, and embrasures of the three sides (each 87 feet) completed.

Equipment
of the fort.

The outer wall of the rampart, of the fourth and fifth sides, raised five feet, and the foundation of the sixth side laid. A bomb-proof fourteen-feet square under the rampart of one side finished. This useful work was begun under the superintendence of Adjutant Minchin with an assistant. The work is a sexagon and very good quarters will be built in its area for a captain's guard, and each bomb-proof, of which it is intended to have four, will contain many people and provisions, etc. When completed it will mount twenty guns, of which there is now in the colony six twelve and eight six pounders—therefore six eighteen-pounders are required to complete the ordnance for that defence, which has been much retarded in its completion by the unavoidable necessity of occasionally drawing the people's labour to other works.

The fortifi-
cations.

At Point Maskelyne there are also mounted — twelve and — six-pounders*; and at George's Head, which commands the entrance of the harbour, there are three twelve-pounders mounted *en barbette* and a guard at each. In order to fortify the harbour with effect, it would be necessary to have a battery of twelve eighteen-pounders on the inner South Head, one side to face the east. The battery at George's Head should be strengthened by having at least eight eighteen-pounders, and Garden Island should be fortified with six eighteen-pounders. Three guns well served on Pinchgut (with spikes ready) would greatly annoy the approach of shipping. With these defences well manned, it would be difficult for any vessel or vessels to force their way up the harbour. In the present state of the settlement, Botany Bay appears to be the most eligible place for troops being landed, and no doubt would be attempted by an invading enemy; but the transportation of artillery would be difficult, owing to the numerous marshes and swamps with which all the space between it and Port Jackson abounds; nor would it be an easy matter for troops unencumbered with guns to find their way across without guides; and even then

* According to the return of 13th August, 1806, post, p. 161. there were at Point Maskelyne (Dawes Point) twelve 12-pounders and two 6-pounders. The battery was formed of stone and earth; it had fourteen embrasures, and breastworks 4 feet 4 inches in height. It was not, however, a very solid structure, for we are told that many parts of it used to fall to pieces when the guns were fired. The native name of the point was Tarra. In later days it was known as Slaughterhouse Point.

they would be greatly annoyed by the troops now in the colony, with the assistance of Fort Phillip and a few guns on the Surry hills, which command all the surrounding country. 1806
12 Aug.

Private Colonial Vessels.—In 1798 Governor Hunter permitted a vessel of 30 tons to be built by some individuals to procure seal skins and oil in Bass's Straits. The success this vessel had, obtained permission for one of 40 tons being begun; and, as much success attended those adventures, permission was given for others to be built, and also to build a vessel* of 185 tons, which, with even others, from 45 to 13 tons, have carried on a very successful speculation in procuring the above objects. A farther permission has been given to build three other vessels from 130† to 40 tons. Those above 100 tons are prevented, by a security of £2,000, from going without the limits of the territory and its dependencies; and the owners have also obliged themselves to send them from hence to England or India to be sold in case these vessels being built should be disapproved by His Majesty's Government. Ship-building.

Twelve vessels, from 20 to 6 tons, have been built and employed by the individual proprietors going between Sydney, Hawkesbury, and Newcastle with provisions, merchandise, grain, coals, and timber. These vessels also give bond not to navigate without the limits. The whole of the private Colonial tonnage is 1,120 tons, which includes the Spanish brig purchased by Mr. McArthur, which is under the same bonds as the other Colonial vessels. The Colonial vessels employed on the fishing have taken 11 tons of oil and 118,721 seal skins from Sept., 1800, to August, 1806, which has been exported from hence to China or England. Building these vessels, keeping them in repair, and the individuals employed to man them and catch the seals, &c., gives constant employment to 400 people, most of whom are free subjects. Coastal vessels. Oil and seal-skins.

Settlers consist of those who came free from England on the conditions of having 100 acres of land, the labour of two convicts, with themselves and families victualled for twelve months from the public stores, with proportion of clothing, tools, seed, and breeding stock, according to the usual proportion issued to this class. Freesettlers.

The second description are those soldiers who chose to become settlers from the first detachment of Marines, those discharged from the New South Wales Corps at the reduction, also the seamen belonging to His Majesty's ships who have been discharged with their vessels leaving the colony. This class receive the same conditions as the first. Ex-soldiers.

The King George. She was launched on 30th April, 1805, and was the property of Messrs. Kable & Co.

One of these was the Perseverance, 136 tons, owned by Campbell & Co., and launched 11th January, 1807. She sailed for China in ballast on 9th February, 1807, returning with a cargo of general merchandise on 5th May, 1808.

1806

12 Aug.

Expirees and
emancipists.

The third description of settlers are those who have served the terms of their transportation, or been conditionally or absolutely emancipated therefrom, and who hold small grants of land from 30 to 50 acres. This class also includes those who hold allotments by lease or rent from the original grantees. Most of this description have received the same indulgencies as the preceding classes; while there are others who settled on more limited conditions, and some who received no other advantage than the grant of their land.

The spirit of
democracy.

Free Settlers.—Respecting the free settlers from England, it is an experienced fact that their general industry falls very short of the professions they made in England. A small number have discovered a troublesome disposition, which has been increased by two or three who are looked on by the rest as more enlightened than themselves, and who are strongly tinctured with the democratic spirit of the times before they left England. However pernicious these examples may be to the peaceable and industrious part of the colony, yet the measures that have been pursued in counteracting and checking any improper attempts may, if persevered in, prevent any unpleasant consequences; but if ever the authority of the magistrate is lost sight of, or falls into neglect, there are in this and the class of settlers from convicts many who would not fail to turn such an event to the worst of purposes; and I am sorry to say there are some who anxiously wish for such a subversion, which it ought ever to be the care of the executive authority to prevent and counteract. As many of this class brought no other property to the colony than their large families, many who are infirm will continue a burthen to the public or stores; and altho' the allowance of provisions, &c., for the first year of their being settled, joined to the liberal supply of articles they have been accommodated with from the public stores on the promise of repaying it in grain, appears sufficient to provide against the time of doing for themselves, yet that period has too often discovered the incapacity of several to raise a small proportion of what might reasonably be expected from so fertile and favorable a climate. Some exceptions there are, altho' but few, as most of the class were totally unacquainted with the laborious and dispiriting task of clearing their grounds of heavy timber, and ignorant of everything relating to agriculture. Therefore, some good mechanics among them have found it more to their advantage to follow their trades than to encumber themselves with their allotments of ground; whilst others, after clearing a part of their land, have let it to more industrious and capable occupiers.

Malcontents.

Useless
settlers.The excep-
tions rare.Gregory
Blaxland.

In speaking of this class, an exception must be made of the liberal encouragement given to Mr. Gregory Blaxland of 4,000 acres of land, with the labour of forty convicts and such cattle as he can pay for. He appears to understand his business as an English

er, the position of which, as applied to agriculture in N.S. s, will make but a small progress in eradicating the first of cultivation with the hoe, which has continued with little tion except in the recent introduction of ploughs. Mr. land received the grant of 2,000 acres of land in a situation s own choice, and deferred taking any more until he had a further examination of the country, before which the nment devolved on Governor Bligh, who was furnished with Minister's directions respecting him.

1806

12 Aug.

Mr. Blaxland, previous to Governor Bligh taking command, received from Government herds — cows, — bull, — oxen,* and fifteen convicts of his own choice, with which he was making a derable progress, and I hope will do so well as to induce Govern- to send more of that description on the same footing, which greatly contribute to the welfare of the colony provided they ot form improper connexions, which, unfortunately, is too the case. Altho' Government has been particular in the tion of free settlers, yet, unfortunately, several people who useless to themselves and others have been sent. The most ple free settlers ought to be farmers and graziers, who have e that object their profession and been used to draw their food the earth; also wheel and mill wrights. If a careful tion of these persons was made out of the numbers that offer ree settlers, the colony would be much benefited; but if le of different trades and occupations no ways connected with ulture or mechanics are sent, they and their families will be uncomfortable for some time, if not reduced to be maintained the stores, which, as I have observed, is the case with a few is description, and would be so with more if not dis- aged. The number of this class is seventy-four men, most of n are married and have large families. They occupy at pre- 7,906 acres of land.

His live stock.

The best sort of settler.

* * * * *

ttlers from discharged soldiers and seamen.—If the greater of the preceding class have not met with the wished-for ess as agriculturists, as little may be expected from this iption, some of whom have retained their grounds no longer the term of their being maintained by Government, when the ts of these idle and dissipated characters were acquired by : industrious and deserving people. Some who have retained : property are well disposed and industrious and in com- ble circumstances. This class are mostly settled on the banks e Nepean and lower part of the Hawkesbury, which are alike et to occasional inundations—an evil that has been guarded

Free settlers.

anks in the MS. Gregory Blaxland, in May, 1806, received 37 heifers, 2 bullocks, and On 20th July following he received 38 additional cows, and 2 more bulls, which he rmitted to pay for in bills at the rate of £28 a head.

1806

12 Aug

against as much as possible by securing elevated spots for their buildings and giving each a proportion of that advantage. The number of men in this class is eighty, some of whom are married and others cohabiting with free or convict women by whom they have families, occupying 6,485 acres of land.

Expirees.

Settlers from convicts who have served their terms of transportation.—These, who hold lands by original grants, have been generally selected on account of good behaviour and industrious habits during their respective servitude and on account of their large families. Several of this description, who have afterwards proved idle and dissipated, have either been worked off their farms by their more industrious servants, sold them to gratify their licentiousness, or fallen a prey to those who wished to acquire their property. Still a greater part of this class not only retain their original grants, but have made considerable acquirements of land, stock, and other property from the worthless part of the first and more recent settlers. Accustomed for the most part to labour and privations during their servitude as convicts, their progress is more rapid than the free settlers, but few of whom were inured to that labour which is so familiar to this class. Some well disposed among them have made themselves and families very comfortable; whilst others, caring but little for the morrow, content themselves with earning sufficient to procure the means of intoxication when opportunity offers, every consideration giving way to the acquirement of spirits, from which and other causes many of this description do not quit their bad habits on resuming the condition of freemen. These excesses, not only in this but in the other description of settlers, have introduced a number of landholders, viz., renters under the original grantees of a part or the whole of their land, or who have acquired their lands and property. This description are chiefly composed of those who have served their terms of transportation or been emancipated, or the husbands of women who have been allowed to accompany them from England, together with some of the convicts who are still under the sentence of the law, but allowed to gain their own maintenance in consequence of good conduct, none of whom have been allowed grants of land from the Crown or been of any public expense, although they are the most industrious cultivators.

A thriving class.

Agricultural lessees.

Convicts labouring for Government.

Male convicts at public labour.—In 1801 every exertion was made to get as much ground as possible cultivated on the part of Government, which was partially effected by recalling as many of the convicts as possible to public labour; but [from] the necessity of furnishing the settlers with labourers the most able convicts were constantly withdrawn from public labour and assigned to individuals, who could derive but little assistance from the aged, infirm, or incorrigible characters who remained a burden to the Government. Still, public cultivation was not neglected; for by

the exertions of those placed over the convicts employed at cultivation for the public, sufficient grain was reserved after 1801 to relieve two years' scarcity. Prior to the last high and disastrous flood (when upwards of 8,000 bushels of wheat and a great quantity of maize was reserved by Government, which not only prevented the extent of the public distress that would have been felt by those necessarily maintained from the public stores but also relieved some of the most necessitous who had lost their all in that uncommon flood), every year showed that the expense of maintaining the convicts employed at cultivation on the public account far exceeded the produce of their labours.

1806

12 Aug.

The effects
of the flood.

Instructions from Lord Hobart, dated February, 1803,* were received, recommending to cultivate no more ground on account of the public than could be carried on by convicts at my disposal; and not to occupy more lands or people than were necessary to maintain and take care of the breeding stock belonging to the Crown, as the most economical savings were strongly urged by Lord Hobart. The cultivation of Cornwallis and Toongabbee Farms were soon after relinquished, and that of Castle Hill alone continued with those convicts who were not indented to individuals, or those of incorrigible behaviour.

Employ-
ment
convicts.

* * * * *

A great and irremediable evil has prevailed in the colony since the time of Gov'r Phillip in the arrangement of Government labour, which extends to that of individuals, owing to the introduction of task-work—working all the day being confined to the jail-gangs, who labour the whole day except at the time of their meals; and those whose work does not admit of their being tasked, go to their labour at daylight, and, after half an hour to breakfast, resume their labour until three in the afternoon. Task-work has obtained so much by long custom that the labourer and artisan often finish what is called a Government task by ten in the morning or noon. Several means have been put in practice to do it away; but, as a great part of the overseers are of the same description and habits as the convict labourers, they have generally failed. When it is considered that the weekly full ration from the stores is 8 lb. of meat, 4 lb. of salt pork, and 3 pints of maize or 6 oz. of sugar, it will be obvious that more nourishment is requisite, particularly if the convict has a family, which is the case with several. It is true, the Government task finished, those who have no ground in their own occupation or any trade, and who are industrious (which is the case with many) find employment for the remainder of the day among individuals either in agriculture or other labour, which is attended with the advantage of their being employed on objects that in one way or other tend to public utility, and gives them the means of procuring an addition to the store allowance of provisions and clothing, also acquiring a

Hours of
labour.

Task-work.

The weekly
ration.

Convicts'
overtime.

* See Hobart to King, 24th February, 1803, vol. v, p. 45.

1806

12 Aug.

participation of the comforts and necessities of life ; but it is to be lamented that when spirits can be procured, but few of this class will work in what they emphatically call their own time for any other mode of payment ; whilst others, resisting that cure, have comfortable huts and garden ground about them with a small stock.

* * * * *

Expirees.

Convicts who have served their term of transportation and become free.—As their terms expire, they either rent ground from settlers or hire themselves as laborers, fishing, or in other occupations, and not a few live by plundering their neighbours and the unwary ; hence it frequently happens that many are re-transported or sentenced by the magistrates to public labour for less than seven years.

Emanci-
pists.

Convicts who have received either conditional or absolute pardons.—His Majesty having been graciously pleased to delegate that prerogative to his Governor of New South Wales, that mercy has not been incautiously, altho' liberally, extended. As these acts were extended on the anniversaries of their Majesties' birth, the general joy expressed on the return of those auspicious days awakened expectation and excited gratitude, altho' the subsequent conduct of a few who partook of the Royal mercy lessened the satisfaction I felt on those occasions at being the humble instrument of dispensing our sovereign's bounty.

Female
convicts.

Female convicts victualled from the public stores.—Out of 1,413 women in these settlements, 1,216 are of no expense to the public, being married or living with free people of all description, and with those who from good behaviour hold tickets-of-leave. There are many of this class whom no punishment or kindness can ever reclaim. Often falling under the hands of justice, they are made examples of, if possible to deter others.

London and
Irish women
convicts.

Those who behaved well bear but a small proportion to the many who from their infancy were thoroughly depraved and abandoned, which is mostly the case with the London females and the greater part of those from Ireland. Among the comparative few who came from the English counties are some well-behaved women, who soon after their arrival are selected and applied for by the industrious part of the settlers, with whom they either marry or cohabit ; nor does a separation often occur, several making themselves very useful not only in domestic concerns and rearing stock, but also in agriculture, &c. The worst description of females who come to the colony are those allowed to accompany their exiled husbands, and who are, almost without an exception, receivers of stolen goods or leading the most dissolute lives. However desirable it is that well-disposed women should accompany their husbands, still no well-meant act of Government bounty has been more abused than in this humane accommodation.

Wives of
convicts.

Altho' the 1,216 women who support themselves do no public labour, yet their domestic concerns and providing for their families is an advantage to the society they are placed in, as no public expense attends them or their numerous families of children. Out of the 196 females maintained by the Crown, 72 (who are mostly incorrigible) are employed at the woollen and linen manufactories ; 45, in the proportion of five to a company (mostly the wives of soldiers) are victualled ; and the rest are distributed to the public employments, as nurses at the hospital, &c.

1806
12 Aug.
—
Free women.

Not more than 360 couples of every description are married in the colony, 170 having been united since 1800. It certainly would be desirable if marriage were more prevalent, as every encouragement is given for their entering into that state ; but as the will of the individuals ought, in this instance, to be free, I cannot say that I ever approved of a proposed plan to lock all the females up who are not married until they are so fortunate as to obtain husbands. Every proper precaution is taken by putting the females on their arrival into the manufactory, under the inspection of the resident magistrate at Parramatta, from whence, as justice decreed, the well-behaved are selected and applied for by settlers and others to become their housekeepers or servants ; and the incorrigible are kept confined to the manufactory, where they have no communication with the men, or sent to the coal works at Newcastle. Was a different plan followed, sickness would arise from the confined manner in which a thousand females must be kept ; and instead of marriage being respected it would become a mere act of convenience to withdraw them from their confinement, exclusive of the impracticability of preventing the men having access to them by art or violence, which, like persecutions for religious opinion, would only increase the immorality that certainly does exist among the above descriptions of depraved females, who do not escape the punishment their bad conduct merits, while those who behave well are encouraged and protected. Many other arguments might be used against compelling the women and men to marry beyond their own inclinations ; and the circumstance of people marrying in New South Wales who leave wives or husbands in Europe is not more uncommon than the separations that take place among the bad characters of both sexes.

Matrimony.

The treatment of female convicts.

Immorality.

Children.—Their number in Sept., 1800, were 943, since when 214 have come with their parents from England, and 651 have survived of those born during the six years, the present number being 1,808 from 19 years of age downwards, of which 675 males and 225 females are legitimate, the number of illegitimate children being 908, of both sexes. 434 are victualled from the stores and 1,374 are maintained by their respective parents. Several of the grown boys are apprenticed to Gov't or individuals, and may become useful members of society, as shipwrights, wheelwrights,

Children in the settlement.

Apprentices.

1806
12 Aug.

Dissolute
parents.

carpenters, blacksmiths, etc., while the greater part assist the parents in their agricultural or domestic labour, which is al the case with the greater part of the grown female childre whose unprotected state in 1800, and the early abuse they w subject to from the abandoned examples of the greater part of th parents, and those who had the care of those among [them] w were orphans, required an attention being paid to withdraw the real objects of charity—being 398 out of the 943 accounted for the muster in August, 1800—from the destructive connectio and examples of their dissolute parents, in whom no reform c be expected, whatever success may attend any endeavours to p tect and instil into the minds of the young infants, which w encouraged by the benefit of a similar institution formed so years ago at Norfolk Island.

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Education
of male
children.

Day
scholars.

Schools.

It is much to be wished that funds could have been found for similar institution* for the male youth, a commencement in whi was attempted in 1803, and an eligible brick building was erect at Government expense at the Hawkesbury, where the greate part of the youth were ; but as it could not be carried on to a extent without buying lands for that purpose, and a backwardne prevailing in seconding the intention of Government—witho some compulsive means were adopted—its being on a large sca was relinquished and confined to the reception of day scholars both sexes, who received their instruction from a respecta missionary of most exemplary character, who resided in the hou and performed Divine service to the settlers in that quarter, f which duties he received a salary from the Orphan Institutio Exclusive of these schools, there are three at Sydney (one of whi is for Catholic children), two at Parramatta, one at Toongabb and one at Kissing Point, under the protection of Governme besides several others, which present the means of the you receiving suitable educations. And as those who manage thema attentive to their scholars, they make a considerable progress the common rudiments of learning. Nor are the parents in gene backward of availing their children of these advantages.

Assigned
convicts.

Convicts indented or assigned to settlers, &c.—From the numl who have served their terms of transportation and been emi cipated, not more than 648 able-bodied men are thus disposed and of no expense to the Crown. The conditions on which th labour was assigned required that they should be fed and cloth by their masters with a Government ration and perform a f Government task ; to have a sheltered lodging on the farm, fr which they were not to absent themselves without the maste leave and a pass from the magistrate ; all complaints betwe

* * The previous paragraph, relating to the Orphanage, has been omitted ; it contained information which has not already appeared in the pages of these volumes.

master and servant to be decided by the magistrate; and attention was promised to the recommendations in favor of any convict so assigned. Every person was forbid employing them without the master's leave, and in case of sickness they were removed to the Government hospital, where they were victualled fourteen days by the master; and that he should not suffer in his agricultural concerns, another convict assigned if the sick one was not recovered. As a further accommodation to the master, being a settler and cultivator, they received a proportion of salt meat and clothing from the stores for those assigned or paying for it in grain. By the conditions, the master could only insist on the convict servant doing a full Government task for his Government ration of provisions; but, as the master could insist on his servant working in his own time for him in preference to labouring for any other person, an agreement was generally made between master and servant to allow a greater proportion of provisions and some other pecuniary remuneration for working all the day or during the time the servants gained after completing the regulated tasks, the established price, which applies to free as well as convict servants, being as follows:—

1806
12 Aug.
Rules governing their assignment.

	£	s.	d.	
Yearly wages, with board	10	0	0	Wages.
Do. per week, with provisions not less than the store rations	6	0	0*	
One day wages, with board	0	1	0	
Do., without board	0	2	6	

As regulated by the General Orders, which were considered equally beneficial to the master and servant, such irregularities and complaints as reciprocally occurred were attended to by the magistrate of the week or the bench on the Sessions days. Much opposition to this regulation has occurred by those who ought to think and act otherwise in contending for the privilege of the master punishing his servants at his own discretion, a proceeding that has been discountenanced by every inquiry and regulation on that behalf as equally impolitic as inhuman. As many inconveniences attended this mode of assigning the labour of Government servants to individuals, and the irregularities it occasioned in the public accounts, it was considered more eligible to assign them by indentures for one or more years, under the penalties prescribed by the General Order of 13th January, 1804,† the regulations not differing from those by which the convicts' labour was originally assigned.

Masters and servants.

Agriculture.—Cultivation on the public account is confined to the agricultural settlement at Castle Hill, where only 177 convicts are employed, the remaining 1,774 full rations victualled being composed of the civil, military, stockmen, artisans, and others employed at necessary public works, with the women, children, invalids, and

Agriculture on Government account.

* Obviously an error; should be 6s. See the scale of wages, vol. iii, p. 197.
† See regulations on this head, vol. iii, p. 384; vol. iv, p. 222; and vol. iv, p. 302.

1806	<p>aged [who] do no productive labour in agriculture on the public account; nevertheless that object has continued on the part of the Crown, which goes to prove the disadvantage of any cultivation on the part of the public. By the annual muster, taken August, 1806, the land in cultivation for the Crown was 330 acres, and 854 acres of that cleared for the public use lays fallow from the heart of it being worn out by repeated and constant cultivation, and the want of labourers to till it. The Government herds will in time remedy the first evil, but the others will continue to diminish or increase in proportion as the convicts now in the colony and those sent in future may be appropriated to public labour or assigned to individuals. It seems advisable to encourage the latter, which eases the public of a considerable part of the expences; but relinquishing public cultivation entirely, and depending on that of private individuals, will be far from beneficial to the interests or safety of the colony.</p>
12 Aug.	<p>The land located to individuals by grant and lease is 84,465 acres, 11,227 of which were in cultivation. The portion cleared of timber was 19,768 acres, leaving 15,000 fallow and for pasturage, exclusive of the common lands in each district; therefore the quantity of land cultivated with wheat and other grain, gardens, etc., by Gov't and individuals consisted of 11,577 acres in 1806 for the maintenance of these settlements, and the new establishments on Van Dieman's Land, which must be supported in a great measure from the parent colony for some time to come.</p>
Land in cultivation for the Crown.	<p>To those acquainted with the great fertility of a great part of the soil of New South Wales and its climate, the calculation of the produce of the land in cultivation will appear much understated, because in favourable years the average of eighteen bushels of wheat are produced on an acre of land, and on the fertile lands about the Hawkesbury and Nepean from twenty-five to thirty bushels, and maize in a greater proportion. But, unfortunately, the disasters and disappointments to cultivators is not less in</p>
Employment of convicts.	<p>New South Wales than in other parts of the world—which may be stated under the following heads: the great proportion of indifferent soil; the want of good practical farmers and mode of tilling the land; the few labourers and cultivators not being able to satisfy their demands; the present scarcity and application of manure; and the attendant evils of blights, vermin, and floods.</p>
Land grants and leases.	<p>Respecting the proportion of indifferent soil, altho' it requires a person conversant in this knowledge, and the following observations, to commit his ideas thereon to paper, yet it is evident to most capacities, and in which those who pretend to a knowledge of this object agree, that the land fit for cultivation and grazing is not so extensive as supposed; yet it may very fairly be presumed that at least a third of the ground now located admits of most purposes of cultivation, and that almost the whole of the remainder is fit for grazing; and perhaps the calculation of two-thirds of all</p>
The average yield.	
Agricultural drawbacks.	
Proportion of good soil.	

of the forest lands, which compose so great a part of the
is generally cold clay soil, which by working bears good Forestlands.
maize, but certainly does not answer for wheat at present,
amelioration it may be susceptible of when plenty of
can be applied. In different parts are extensive tracks,
entirely of sand, with a stunted kind of gum-tree,
and or timber being of the least use.

ri knowledge of the great proportion of indifferent and Crown
in the colony pointed out the necessity in 1803 of some reserves.
ing reserved for the use of the Crown, and a proportion
ated by grant as common land attached to each district
grazing grounds for Government cattle, and to encourage
o acquire and raise stock, in consequence of which 79,284
different situations near the settlements were located
for the use of the cattle and purposes of Government,
not be otherways appropriated or disposed of but by an
m His Majesty's Government in England. 39,105 acres Commons.
ted to trustees in the different districts. The tenour of
ts and other regulations consequent thereon were to be, as
cal circumstances allowed, conformable to those of similar
lands in England ; exclusive of which the Orphan Institu-
endowed with 12,802 acres of land, and Government held
res of land, exclusive of the spaces the towns stand on.
ant of practical farmers has greatly retarded the progress Primitive
ation, altho' among the pretended theorists there is not farmers.
has ever reduced it so far to practice as to convince their
as of the superiority of their knowledge of agriculture if
farms are to be considered as the criterion of their abilities.
e first adopted of clearing the land of timber and working

1806
12 Aug.
—
The cattle.

Nutritious
native
grasses.

The rate of
increase.

A compari-
son.

Phenomenal
increase.

breed : but the most valuable cross of the Cape and Bengal cows was of a bull and cow of the English breed sent from St. Helena in 1796.* They have no horns, a small well set head, extremely deep in the body, short legs, and very round in the buttock, with every other desirable point for stocking this colony with a fine race of cattle. In the opinion of a person lately arrived (Mr. Blaxland), he thinks the general breed of cattle in New South Wales are equal to those in England, although as yet they have had no other food than the native grasses, which are certainly very luxuriant. There is no doubt that the success in raising cattle is owing to the nitrus salt that every part of this country contains, which I apprehend is similar, if not the same, as the barrero of South America, without which it is said no cattle will thrive in that country : nor is it to be found below or to the northward of lat. 23° S., which accounts for the badness of the beef at the Brazils. Paraguay and the southern provinces, it is well known, produce the greatest number of fine beeves, which is attributed to the saline particles, or barrero, with which the soil and grasses of those countries are impregnated.

On the most accurate calculation from the Superintendent and Commissary's annual and quarterly accounts, it appears there was of all ages and sexes 805 cattle in Sept., 1800, the increase of which (exclusive of those purchased) in Sept. 1805, was 6,556, being 96 more than doubling themselves in two years.

Dazara† in a late treatise on the‡ of Spanish South America, where he resided many years, states that the proportional increase of farm cattle is about a quarter or one third—i.e., 4,000 head of all ages will produce from 1,000 to 1,300 calves in the year. This calculation has been verified in New South Wales, taking only the increase between Dec'r, 1804, and Dec'r, 1805, when the numbers were—

In 1804 in Government tame herd ...	2,281	} of all ages and sex.
In 1805 ,, ,, ...	3,074	

The difference, or increase, 793, is 33 more than one-third ; but taking the increase in the [figures] for five years they more than double themselves in two years ; which proves that the increase of cattle bears an equal, if not a greater, proportion than in any other part of the world ; and as no females are ever slaughtered, and no cattle are more free from any kind of disease, the increase of the tame herds will in a very few years be immense ; nor can there be a doubt that in less than fifteen years the wild and tame herds will produce so great a stock that they may be killed for their hides and tallow, as is the case in South America, the future expectation of which must greatly lose its value by the

* Probably brought by the ship Marquis Cornwallis.
† Don Felix de Azara. The treatise to which King alludes was, doubtless, Azara's *Apuntamientos para la Historia Natural de los Quadrúpedos del Paraguay y Rio de Plata*, 2 vols., 8vo., published at Madrid in 1802.
‡ Blank in MS.

great distance New South Wales is from any European market, 1806
in comparison to the mart for these articles at Buenos Ayres ; 12 Aug.
for which reason it does not immediately appear that New South The local
Wales can benefit by the numerous herds it can and no doubt will market.
rise, than in supplying the inhabitants with food and leather.

How far the sanguine ideas of those who count on supplying Animal food.
the East Indies and other parts of the world with salt beef from
hence may be realized must depend on time ; but at present fur-
nishing the inhabitants with animal food, without requiring salt
meat from England or elsewhere, appears of the first necessity, at
least for ten years to come.

COMPARATIVE Statement of annual progress and raising Stock by Live stock.
the Crown and individuals in His Majesty's territory of New
South Wales, viz., Sydney, Parramatta, and Hawkesbury,
extracted from the annual returns that have been sent to the
Principal Secretary of State for the Home and Colonial De-
partment, from August, 1800, to 1806.

	Horses.	Cattle.	Sheep.	Goats.	Swine.
15th August, 1800	203	1,044	6,124	2,182	4,026
30th June, 1801	241	1,242	7,046	1,240	4,766
17th August, 1802	293	1,856	8,661	1,146	5,233
30th July, 1803	258	2,450	11,275	1,738	9,105
30th July, 1804	434	3,264	16,501	2,980	14,303
14th August, 1805	517	4,325	20,617	3,810	23,000
12th August, 1806	552	5,286	21,457	2,258	6,988*

To take care of this valuable part of Government property, a trusty Herding the
superintendent has the charge of it, being assisted by eighty-one cattle.
overseers and stockmen. The cattle are divided into twelve herds,
distributed in different parts for the advantage of feed. Each
herd is driven to a place where it is accustomed to lay at night.
Heretofore much labour and expense was incurred by constructing
extensive enclosed stock-yards ; but, as the cattle increased, it
became impracticable to keep them in repair and construct others
in proportion to the cattle's increase.

No cattle in the world are less liable to disease than those in Healthy
New South Wales, few being attacked with any malady except cattle.
that in 1803, when some of the herds were partially affected by a
pongy substance on the tongue, which prevented them from
eating. On that being removed, diseased heels followed, which
extended to the sheep. Some few cattle and sheep belonging to

* The great decrease in swine was doubtless attributable to the great flood in the month
of March.

1806

12 Aug.

individuals died ; but its effects ceased with the drought that was so prevalent that year, since when there has been no return of that or any other disease to affect the stock in general.

Luxuriant
pastures.

Clover.

Cultivation
of grasses.

Lucerne.

Draught
cattle.

Horses
brought out
by Phillip.

It has already been remarked that no country can boast a greater quantity of good grazing land and the most luxuriant grass; nevertheless, several individuals have bestowed much attention to cultivating red and white clover, rye grass, burnet, all which have done well, but more particularly the white clover and rye grass, the former of which spreads very much and is very abundant, affording the finest food for the grazing stock and swine. Many prejudices existed for some years against the clover because the cattle and horses, not being used to it, refused it at first, in consequence of which several who had begun that cultivation abandoned it, whilst those who persevered found that, as the country grasses became dried up in the summer, that the stock took to the clover, and in time would eat no other grass when that was in their reach; and as a proof of its succeeding with the worst tillage, many who could not afford the time or labour of turning up the ground and clearing it, contented themselves with making holes as for planting maize, dropping some of the white clover seeds into them, which grew, soon overrun the ground, and destroys the native grasses and herbaceous plants. This mode, unhusband-like as it is, and the droppings of the stock, will in a short time cover all the frequented parts of the colony with that useful plant. The red clover goes off in two years, whilst the rye grass grew very luxuriant; but the burnet is not found so useful in New South Wales as it is reported to be in Europe. Lucerne grows extremely well, yielding at least three cuttings a year; but, as it requires so much care and attention to keep it in tilth, and will not admit of being fed off, but few cultivate it. Nor is much attention bestowed on any artificial grasses except the white clover, which bids fair to overrun the country without the assistance of labour, which cannot fail of being of the greatest use to all kinds of stock, which are equally fond of it.

* * * * *
Upwards of 100 oxen, belonging to Government, are yoked, and do much labour in ploughs, timber carriages, waggons, &c., which saves much manual labour. A few teams were harnessed; but, owing to the constant repairs the harness required, it was laid aside, the yoke being in general use.

Speaking generally of the horses now in the colony, the original breed, consisting of — horses and — mares* were brought out by Gov'r Phillip in 1788. Of late years some tolerably good stallions

* According to the statements sent Home by Governor Phillip, there were in the settlement one stallion and three mares on 1st May, 1788 (vol. i, part 2, p. 151). In November, 1791, the Government stock consisted of one stallion, one mare, and two colts (ib., p. 549). Collins (vol i, p. 189) states that in November, 1791, there were in the colony one stallion (aged), one mare, two colts, and two young stallions. These last were probably owned by private individuals.

have been brought from India, being of the Arabic and Persian breeds. In 1802 a very strong boney stallion was brought from India by an officer, which, with some half-bred and one whole bred English mares, have greatly improved the original breed. As the settlers are generally acquiring horses and carts, they do much useful labour, as well as the convenience they are of to those who can pay the high prices required for them, which gives great encouragement to improve and increase the breed of so useful an animal. As there are now 552, and 305 of that number are females, that useful stock will rapidly increase, supposing no more are sent or procured from abroad, although the breed would be improved if two blood stallions could be sent by a safe conveyance.

1806

12 Aug.

Later importations.

Reverting to the consequences of the flood, as the misfortune had happened and was completed, it remained for me to reflect on the state to which it had reduced not only this but the new settlements dependent on this colony. Here the evil will be much felt, but certainly not so much as in those new settlements where it can be scarcely said a commencement has been made; nor would they have existed hitherto but for the support of this settlement; and altho' Col. Collins has often assured me of his thorough dependence on England for supplies, yet none having arrived, their nourishment has been drawn entirely from this for the last two years. By the accounts, since the recent supply, from Norfolk Island, it appears that at Hobart they had grain only till May, and meat till August; at Yorktown, grain till May and meat till the latter end of August. This stock, and what I should have been able to send them if Providence had spared us our resources, would have given them a sufficiency; but situated as the colony now is, a temporary supply was all I could spare them, or indeed get, which I was anxious to send as soon as possible by two small private Colonial vessels I had engaged for that purpose, and who, from the continued bad weather, did not sail before ———.*

Effects of the flood.

Supplies for the subordinate settlements.

As soon as the flood began to subside, every man at Gov't labour was sent to assist in saving the wreck of grain that might be rescued from the effects of the flood. How far their exertions may succeed must be determined by the event; for at the time I write this, 10th April,† the rains have been continual, save the intermission of a few hours' clear weather.

Rescue work.

For the numbers necessarily victualled from the public stores, there remained in the Gov't stacks of wheat and computation of the growing maize at only fifteen bushels an acre a sufficiency to last the reduced ration we are now at till the latter end of July, when there will be August to December before any return can be obtained from the wheat crops; and in this estimate no notice is

Grain in the Government Stores.

* Blank in MS.

† It is evident from this that King wrote parts of this document at a date anterior to August, 1806.

1806
12 Aug.

taken of the other settlements on V. D. Land, or the numbers who there is great reason to apprehend must come on the stores to be supported for a time. Possibly some supplies may be drawn from the grain the individuals may be induced to spare, as on the present exigence I judged it advisable to raise the price Gov't would give for wheat to 15s. a bushel, and other grains in proportion, altho' my present opinion is they will have but little, if any, to spare from their own necessities, and there is no doubt but many will be totally without, and most likely are so at this moment.

Food
supplies.

This misfortune unluckily happens at a time when there are few vegetables ; but, as the season is favourable for sowing turnip-seed and cabbages, all descriptions were advised to sow and plant their garden and a proportion of their grounds with those plants, as being likely of yielding the promptest return that could be expected. Until the time for wheat returns, the issue of bread from the private bakers was restricted and regulated, and some other necessary orders for the safety and securing the produce of the gardens were also given and directed to be rigidly enforced. Notwithstanding all those precautions, there was a necessity to send for rice to meet any failure of the ensuing crops, which must be small from the scarcity of seed, and if possible to obtain a small supply by the end of the present year. The nearest places that offered for obtaining these supplies were the Moluccas, or rather the Portuguese settlement at Delli* or Timor, Bencoolen,† and Calcutta.

GOVERNOR KING TO COMMISSARY PALMER. (King Papers.)
[Extract.]

Memo.

12th August, 1806.

Pay of the
Command-
ant at
Newcastle.

HAVING received instructions from the Right Hon. Lord Castlereagh, dated the 13th July, 1805,‡ authorising me to issue 5s. per diem to Lieu't Menzies, Commandant of the Newcastle district, and that officer having received that allowance until the day of his resignation; and Mr. Charles Throsby having performed that duty very much to the public interest and my satisfaction since that period,—you will, on receiving my certificate, or that of the Gov'r or officer in command for the time being, pay to Mr. Charles Throsby the sum of 5s. a day from the above date, making those payments half-yearly in such monies as you occasionally have in your hands.§

* * * * *

PHILIP GIDLEY KING.

* This may either mean Delli, a town and small state on the north-east coast of Sumatra, or Dilli, the capital of Timor.

† A residency and seaport town of the Dutch East Indies on the west coast of Sumatra.

‡ See vol. v, p. 656.

§ Throsby returned to Sydney in October, 1808; and while absent his duties were performed by Ensign Villiers. In General Orders of 24th December, 1808, Lieutenant William Lawson was appointed to the command, and Villiers ordered to return to headquarters.

ABSTRACT.

1806

RETURN of Ordnance in the Colony of New South Wales, 13th
August, 1806.

13 Aug.

Ordnance at
Sydney.

	12-pounders.	Guns. 6-pounders.
Mounted at Dawes's Point Battery (but 8 carriages unfit for service)	12	2 iron.
At George's Head Battery (carriages unfit for service)	4	Iron.
At Fort Phillip (dismounted) .....	..	8 iron.
In the Barrack Square (carriages unfit for service) ...	...	2 brass field- pieces.
In front of Government House (carriages unfit for service) ....	...	2 ditto.
Barrack Square, Parramatta (carriage unfit for ser- vice)	1 4-pounder, iron.	

W. MINCHIN, Col'l Art'y Officer.

New carriages for the field pieces are making.

Iron carriages are required for the sixteen 12-pounders and others.

W'M BLIGH, Governor.

AMOUNT of expences attending the colony in New South Wales
from the 28th September, 1800, to the 13th August, 1806.

Expendi-
ture.

£ s. d.

Amount of stores, clothing, provisions, remaining by survey, September 28th, 1800, with the amount of articles sent from England and received from other parts	186,431	2	11½
Amount of bills drawn on His Majesty's Treasury between the above dates	87,477	14	9½
Articles sent for barter	16,299	13	8
Value of cattle belonging to the Crown in September, 1800	36,317	0	0
Amount of receipts	326,525	11	4½
Civil Establishment for 6 years, about	36,000	0	0
Estimated expence of New South Wales Corps	72,000	0	0
Do. do. of King's ships	30,000	0	0
Total	464,525	11	4½
Amount of credit for articles remaining in Government hands, 13th August, 1806	180,246	13	6½
Expences from 28th September, 1800, to 13th August, 1806, including that for new settlements, and exclu- sive of expences at Norfolk Island and the amount of bills drawn by the Lieut.-Governor at Hobart Town	284,278	17	10½
Amount of articles extracted out of the above sum for the service of the dependant settlements and King's ships	71,365	16	2½

1808
13 Aug.
Government
assets.

AMOUNT of articles left in His Majesty's stores, granaries, debts due to the Crown, value of cleared grounds, and objects that may be considered as a credit against the pences :—

	£
Value of stores, clothing, provisions, &c., left in the stores at Sydney, Parramatta, and at Port Dalrymple, Hobart Town, and Newcastle ; also grain left in stacks, granaries, and growing	36,970
Value of cattle and stock, exclusive of those alienated ...	112,415
Debts due by individuals in barter for extra and annual supplies	10,615
Amount of bills given by Mr. Gregory Blaxland for cattle, sent to His Majesty's Treasury... ..	2,240
Value of tools, utensils, &c., in charge of the different departments for public use, about	2,000
Stoppages from the New South Wales Corps for provisions, about	5,000
Value of Estramina, Resource, and Colonial boats... ..	2,400
Do. of clearing 700 acres of land and getting it into first tilth... ..	2,100

Public Buildings.

Granary at Hawkesbury	600	0	0
Church and School-house at Hawkesbury... ..	400	0	0
Brewery and other works at Parramatta, about	1,000	0	0
Port Philip, as far as completed	1,909	8	0
			3,900
Salt works at Sydney, about	500	0	0
Church at Sydney, as far as completed, about	500	0	0
Guard-house at Sydney	600	0	0
Other works, about	1,000	0	0
			2,600
Total			180,240

The above are extracted from the Commissary's accounts and other public documents.

PHILIP GIDLEY

Women and
children.

A STATEMENT of the Married and Unmarried Women, number of their Children, in New South Wales, August 1808.

Wives, 395 ; unmarried* and concubines, 1,035 ; total number of women, 1,430. Male children (legitimate), 429 ; female children (legitimate), 429 ; total number of legitimate children, 858. Male national children, 512 ; female national children, 512 ; total number of national children, 1,024. Number of free women married in New South Wales or in England, 125 ; number of children belonging to them, 468. Number of convicts married in New South Wales or in England, 125 ; number of children belonging to them, 339. Number of convict women married and who have children, 587 ; number of children belonging to them, 642. Number of convict women who have no children, 642.

* Note by Governor King :—"Very few of the unmarried but who cohabit with some man."

PUBLIC WORKS AND BUILDINGS.

1806

SITUATION and Description of Repairs of Government Buildings
New South Wales, 13th August, 1806.

13 Aug.

Public
works and
buildings.

SYDNEY.

The Master Builder's House wants plaistering, whitewashing, windows repairing, and part of the foundation given away.

The Dock-yard wants sheds for boats, and to work under for saw-pits; the blacksmith shop and storehouses and watchman's hut wants plaistering, whitewashing, new doors and shutters, rep'g tiles outside of staircase, also new posts and railing next the road.

Wharfinger's Hut wants new windows and doors, plaistering, whitewashing, and new chimney, and tileing repaired.

The Coxswain and Boat's Crew's Hut wants plaistering, whitewashing, tiles rep'g, a new fence, doors, and windows.

The Gaol.—In good repair, but wants additional cells.

The Watchman's Hut.—Nearly down.

The Lumber Yard.—Wants the blacksmith's shop and shed whitewash'd, plaistered, new doors, windows, and the tiling repaired, new saw-pits and sheds.

The Military Store.—Part of the walls given away, and wants new doors, windows, and the tileing repaired.

The Granary wants new flooring, doors, and windows, new shingleing, staircase, and plaistering and whitewashing, with other necessary jobs.

Gov't House and Offices wants new doors, windows, window shutters, lining and frames, shingleing, flooring, whitewashing and plaistering. All in so rotten a state, wants to be new.

The Judge-Advocate's House.—In good repair; his office in a bad state—wants to be new.

The Parsonage House wants new doors, windows, and fence, plaistering, whitewashing, and tileing repaired.

The Surveyor-Gen'l's House and Offices wants doors and windows, nearly new whitewashing and plaster'g; also new fence.

The Old Guard House.—Nearly down.

The New do.—Only wall'd and roof'd.

The Dry Store wants new doors, windows, and staircase, plaistering, whitewashing, and repairing the tiles, also new flooring.

The Storekeeper's House.—In good repair.

The Superintendant of the Town Gang's House wants new doors and windows, whitewashing, plaistering, and tiles repairing and other wood-work done.

The Executioner's Hut wants new doors and window shutters, fence and tiles rep'g, plaistering, and whitewashing.

Two Gov't Huts wants doors, windows, tiles, and fence rep'g, and other wood-work, also plaistering and whitewashing.

The Sup't of Blacksmith's, the Assistant Engineer, Overseer of Town Gang, and Commissary Clerk, wants windows, doors, tiles, and fence rep'g and other wood-work, also plaistering and whitewashing.

The Deputy Commissary's House wants new doors, window sashes, fence, flooring, whitewashing and plaistering, a few panes of glass, other wood-work done; outoffices the same.

Light Horseman's Barracks and Stable wants new shingleing, plaistering, doors, window-shutters, and other wood-work.

The Two Salt Provision Stores wants the doors and windows nearly new and other wood-work, tiles rep'g, plaistering, whitewashing; part of the walls given way.

1806

13 Aug.

The New Church.—The wall at one end down, and the tower; the roof only half up.

One Wind-mill wants new plaistering, whitewashing, and rep'g the wood-work.

One New Wind-mill.—Not finished.

One Old do. on the Fort.—Useless.

The Town Bridge, New.—Part of it down, the other part in a bad state.

The Orphan House.—In good repair; the offices in a bad state, one nearly down.

The wooden Hospital.—Rotten and decayed; not worth rep'g.

The other Hospitals wants new doors, windows, and shutters, floors relaying, many panes glass broke, whitewashing and plaistering, the out-offices some down and others propt up, also new fence; all the hospital and premises in a ruinous state.

The Principal Surgeon's House and Offices wants plaistering, whitewashing, and tileing repaired, with some other wood-work done.

Two Assistant Surgeons' Barracks wants new doors and window shutters, and other necessary rep's, plaistering, and whitewashing.

Commiss'y Office wants doors and windows, nearly new, plaistering, whitewash'g, tileing rep'g, and in general in a very bad state.

Salt Provision Store wants flooring, doors, windows, and shingleing, and new cooperage yard.

Guard House, Daw's Point, wants plaistering, whitewashing, &c.

The Hawkes-
bury.

Hawkesbury.—One new building, intended school, unfinished; one new granary, with three floors, one floor unfinished; roof and foundation of Government House totally decayed and untenantable; one old thatched store unfit for service.

Toongabbie.

Toongabbie Stockyard and Dairy.—The whole of Government buildings in a decayed state, quite untenantable, some fallen down.

Castle Hill.

Castle Hill.—One barn in good repair; one stone granary floor wants repairing; one new granary in an unfinished state; dwelling and store houses wanting repairs.

Parramatta.

Parramatta.—Grainary and storehouses, the walls in a decayed state, and the whole in want of new flooring; timber yard, blacksmiths', carpenters', and wheelers' shops in bad repair; saw-pits and sheds totally decayed; Government House, inside wood-work wants repairs, out-houses and stabling wants great repairs; church covered in, but no pews or anything but a pulpit, tower not half built, walls broke, and will require re-building.

SITUATION OF THE MILITARY BARRACKS.

The Surgeon's Barrack wants nearly new flooring, the fence part rotten, plaistering, whitewashing, and tiles rep'g, with wood-work; out-offices in the same state.

Two Captain's and Adj't do.—The same as above.

Military Hospital.—The walls and roof only up.

Five Subalterns' Barracks wants plaistering, whitewashing, tileing rep'g, the out-offices the same, and wants nearly all new doors and window shutters; the railing at the back intirely gone.

Two Private Barracks wants plaistering and whitewashing, the doors and windows some of them new, and others rep'g.

Three Subaltern's Barracks.—Not finished; the walls and roof only up; many of the bricks gone from the chimney, and part of the walls also; the roof will require one-third new tileing, great numbers being broke and gone. Every part of the three buildings are in a ruinous state.

THOS. MOORE, Builder.

RICH'D ROUSE, Superintendent.

REMARKS on Batteries, Magazines, &c., &c.

1806

Fort Phillip.—The ramparts, merlons, and embrasures of three sides nearly finished; the outer wall of the rampart of the fourth and fifth sides raised 5 feet; a bomb proof of 14 feet square completed under one side, and the foundation of the sixth side nearly laid. No work done since the 16th March, 1806. 13 Aug. —
The batteries.

The parapet of the Battery at *George's Head* in a state of decay.

The *Powder Magazine* damp, and unfit to keep powder in.

The *Powder* greatly damaged from the damp state of the magazine.

W. MINCHIN, Col'l Art'y Officer and Eng'r.

ADDRESS TO GOVERNOR BLIGH.

TO His Excellency William Bligh, Esquire, Captain-General and Governor-in-Chief in and over the territory of New South Wales and its dependencies, &c., &c., &c.

May it please your Excellency,— 14th August, 1806. 14 Aug.

The officers, civil and military, with the free inhabitants of this colony, beg leave respectfully to offer their sincere congratulations to your Excellency upon your appointment to this government, and to express their happiness at your safe arrival. Bligh's appointment.

They trust that your Excellency will not entertain unfavourable opinions of the fertility and natural resources of the country from the unfortunatescarcity which the late inundations have occasioned; for be assured, sir, you will find the country, under the ordinary dispensations of Providence, neither wanting in fertility nor barren of resources; but on the contrary, capable of maintaining its inhabitants in plenty, and of becoming, with moderate encouragement, a colony of considerable importance to Great Britain. The country seen at its worst.

We have an undoubting confidence that your Excellency, by a just, moderate, firm, and wise government, will promote the happiness of all who deserve it; and we feel animated by a pleasing hope that, under your Excellency's auspices, agriculture will flourish, and commerce increase, whilst enjoying as far as circumstances will admit the constitutional rights of British subjects, we shall in due time rise above our present comparative state of insignificance, and by our example prove to the world what great exertions mankind will make when properly incited to exercise their natural powers. Confidence in Bligh.

We intreat your Excellency to believe that, anxious as we are for the improvement of agriculture and the extension of commerce (the two great sources of population, civilization, and morality), we are perfectly sensible they alone are not sufficient to secure the welfare of our infant establishment, but that it is the indispensable duty of us all to combine with our endeavours to accomplish these objects a reverential regard to the laws, and a cheerful acquiescence in such measures as your Excellency may adopt to improve the true interest of the colony. The essentials of prosperity.

1806
14 Aug.

Convinced that our prosperity and happiness will be the great objects of your Excellency's care, we earnestly hope your Excellency will find your administration productive of real and permanent satisfaction, and honour to yourself.

GEORGE JOHNSTON, for the military	} inhabitants.
RICHARD ATKINS, for the civil	
JOHN MCARTHUR,* for the free	

GOVERNOR BLIGH'S ANSWER.

Government House, Sydney,

Gentlemen,

14th August, 1806.

Bligh in
reply.

I accept your congratulations and address with very great satisfaction; and am happy in believing I am not less honoured with your confidence than I feel a disposition and determination to promote the welfare of this infant colony, the government of which our most gracious King has committed to my charge, united with you, his dutiful and loyal subjects, in your respective situations of trust and confidence.

Capabilities
of the
colony.

It will be a heartfelt satisfaction to His Majesty and his Government to learn from your address that the country settled under his benign influence is capable of ample returns to the industrious settler and merchant, under due exertions, regulations, and encouragement; to the ends of which I draw very happy conclusions by your dutiful representation, determining to support a reverential regard to the laws, and inculcating a true sense of religion and morality.

Your confidence in me, I trust, will tend to realise the benefits you look to. I have met you with great affection, and shall watch over your cares and interests to the utmost of my power, to render society a blessing, and the colony flourishing.

I have, &c.,

W^M BLIGH.

ADDRESS TO GOVERNOR KING.

To Philip Gidley King, Esquire, late Captain-General and Governor-in-Chief in and over His Majesty's territory of New South Wales and its dependencies, &c., &c., &c.

King's
departure.

THE officers, civil and military, with the free inhabitants of this colony, at this moment of your departure from amongst them, respectfully intreat you to accept their unfeigned wishes for your health, happiness, and prosperity.

Good wishes
for his
future.

They sincerely hope that you will safely and speedily arrive in your native country; and when there, that His Majesty's

* See the addresses to Bligh, post, pp. 188 and 190, in which a number of the free inhabitants allege that Macarthur was not empowered to sign for them.

Government will duly appreciate your services in discharging the duties of an office arduous and difficult beyond what can easily be imagined by any person unacquainted with this peculiar colony.

1806

14 Aug.

They are fully sensible that you, sir, will always feel a lively interest in its prosperity, and they fervently hope that you may long enjoy that pleasure, and that every possible good may crown your future days.

GEORGE JOHNSTON, for the military
 RICHARD ATKINS, for the civil
 JOHN MCARTHUR, for the free } inhabitants.

GOVERNOR KING'S REPLY.

His Majesty's Ship, Buffalo,

Gentlemen,

14th, August 1806.

I have had the honour of receiving your kind good wishes, and, what is equally dear to me, your liberal sentiments of my conduct in the situation I have had the honour to hold in these settlements, in the administration whereof I am truly sensible and grateful for the support and assistance I have received from the different classes of His Majesty's subjects in this territory.

King's
answer.

Although I have succeeded in obtaining our most gracious Sovereign's leave to resign the situation I have held in this colony, and am on the point of leaving you and many for whom I have a sincere esteem, yet I assure you that at no period of my future existence will an earnest desire and solicitude be wanting to do my utmost in forwarding the interests of this remote part of His Majesty's dominions, and the prosperity of the inhabitants.

His solici-
tude for the
colony.

Accept, gentlemen, my sincere thanks for the personal attentions I have received from you, by the handsome manner in which you have presented a testimonial I always shall esteem and hold dear; and that you, and every individual of the classes you have so obligingly represented, may long enjoy health and every benefit that their arduous exertions merit, in forwarding the interests and establishing the respectability of a colony whose prosperity will always be dearest to the heart of, gentlemen,

Returning
thanks.

Your, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

15th August, 1806.

15 Aug.

His Majesty's Commission, appointing William Bligh Esq., F.R.S., a Captain in the Royal Navy, to be his Captain-General and Governor in Chief in and over the territory of New South Wales and its dependencies, having been this day read, and His Majesty having been graciously pleased to direct the Right Honourable Viscount

- 1806**
16 Aug.
 King complimented by the Secretary of State.
- Castlereagh "to express His Majesty's entire approbation of the conduct of Governor King, as manifested in the important charge committed to him, and His Majesty's satisfaction at the great improvements which the colony has received under his superintendence," as communicated by His Lordship's dispatch of the 22d [†20th] of November, 1805,*—all existing General Orders, proclamations, and local regulations made by Governor King are to remain in full force and effect, unless events and circumstances should hereafter render it necessary to extend, amend, or annul any part or parts thereof.
- Officers to continue to act.
- New appointments.
- His Excellency directs that all magistrates, officers, and superintendants do continue to perform their respective duties and employments until further orders.
- His Majesty has been graciously pleased to appoint Mr. William Gore to be Provost-Marshal, and Mr. Fitz to be a Deputy Commissary.
- His Excellency is pleased to appoint Lieutenant Putland, of the Royal Navy, to be his aid-de-camp, and a magistrate throughout this territory and its dependencies: Mr. Edmund Griffin to be secretary.
- By command of His Excellency,
 E. GRIFFIN, Secretary.

16 Aug. Account of Stock belonging to the Crown and to private individuals on His Majesty's settlement, Port Dalrymple, Van Diemen's Land, August 16th, 1806.

	Horses.		Black Cattle.			Sheep.		Goats.		Swine.	
	Male.	Female.	Bulls and Bull Calves.	Cows.	Oxen.	Rams and Wethers.	Ewes.	Male.	Female.	Male.	Female.
Live stock at Port Dalrymple.											
The Crown . . .	1	1	23	263	1	56	144			10	1
Lieutenant-Governor Paterson . .	3		1	3		11	31	6	15	1	1
Captain Kemp									4		
Mr Mountgarrett Surgeon . .		3	2	6					10		5
Mr Riley, Acting Deputy Commissary . .			1	4		16	42	1	12		2
Superintendents			1	7					2		
Settlers						2	8				4
Total	4	3	28	283	1	85	225	7	45	11	13

W. PATTERSON.

* See vol. v, p. 735.

GOVERNMENT AND GENERAL ORDER.

1806

16th August, 1806.

16 Aug.

GOVERNOR COLLINS having appointed Mr. Samuel magistrate for the county of Buckinghamshire, His irms that nomination.

ation from any individual to the Governor for being Office regulations.
law articles from the stores, or person going off or
ie stores, can be attended to until further orders, and
ary's accounts finally closed. When that is done, the
plications are to be made as usual, viz., on Mondays
alone. Nor will any applications be received on those
n o'clock in the morning.
s whatever will be signed after ten o'clock.

Oil and Sealskins imported into and exported out of 19 Aug.
jesty's colony of New South Wales, being procured
te Colonial vessels ; also an account of the Oil and
s imported in and exported out of the same in
South Whalers and Sealers from November, 1800, to
a day of August, 1806.

	Sperm Oil.	Black Oil.	Seal- skins.	Exportation.	Sperm Oil.	Black Oil.	Seal- skins.	
	tons.	tous.			tons.	tons.		
...	..	711½	118,721	Colonial Vessels ...	..	520½	98,290	Oil and seal skins ex- ported.
alers	2,831½	420	14,750	British So. Whalers and Sealers.	2,756½	420	14,750	

J. HARRIS, Naval Officer.

R KING TO GOVERNOR BLIGH. (Colonial Secretary's Papers.)

Parramatta, 20th August, 1806.

20 Aug.

first the colony was settled, Governor Phillip allotted Garden
d for the use of the Sirius, and the piece of ground Island in
upbell's garden stands on was given for the Supply. Phillip's
ere cleared by the ships' companies, but no house time.
ing their times. Matters stood so during a part of
inter's time, when the occupation of Garden Island
> the Supply, who, you know, was commanded by
Kent ; and the garden at Campbell's was occupied by
s. Some time after, the house now standing on Garden Occupied by
the Navy.

- 1806** Island was built under the direction of Lieutenant Braithwait, who generally resided there; and some time after that Governor Hunter gave Capt. Waterhouse a lease for himself of the Reliance's garden ground and all the extensive lots now occupied by Mr. Campbell, to whom Waterhouse sold it for £300; and on Governor Hunter's giving that lease to Waterhouse he allotted garden ground on the North Shore, above Ball's Head, for the use of the Reliance—Mr. Harris can point that place out to you—and as such was occupied by the old Porpoise on the Buffalo's leaving this country.
- 20 Aug.** —
- Garden ground above Ball's Head.** When the Buffalo went last to the Cape, in Hunter's time, he occupied it for rearing poultry, under the care of Mrs. Winch, and retained the possession of it until a few days before I took the command, when he informed me that he directed a butt of spirits to be given from the stores to Lieut. Braithwait for some claims he made for building a house, and recommended that it should be kept for the reception of any families that might come from England until a better situation might be found. However, concerning the occupation of Garden Island, it was held by the second ship (the Lady Nelson) until Lieut. Grant went to England, when the commander of the Porpoise occupied it as a second ship in the colony until she left this for England, after which it was occasionally occupied by different persons not in the Navy line, until Captain Houstoun asked it for the Buffalo, in whose occupation it has since remained.
- A poultry farm.** Thus you have the history of Garden Island. Strictly speaking, Gov'r Hunter's giving Capt. Waterhouse the lease and allotting the garden on the North Shore for the first ship, when the second occupied Garden Island, removes all claims of the first ship demanding that place, which cannot be claimable or disposable, and not as a matter of right.*
- Occupation of Garden Island** As he† has sent you the defects of the ship, if they are considerable, in my opinion his own carpenters ought to repair them; but if they are great and necessary for the preservation of the ship, we have always sent a sufficient number from the dock-yard to complete them, and during the time the convicts are so employed they are borne on the ship's books as supernumeraries for victuals, only their work being subject to the occasional inspection of the master-builder to see that it is not diverted to private purposes.
- by the second man-of-war.** The Albion being arrived, if she reports having spirits on board the usual guard should be sent. He is then to enter the ship to the Naval Officer, who will lay before you the entry and manifest,
- Refitting.**
- Arrival of the Albion.**

* It is probable that King was asked for information concerning Garden Island in consequence of Captain Short having applied to Bligh about the time this letter was written to permit the officers of the Porpoise to have the use of it.

† Probably Captain Short.

will receive your directions to hoist the admission flag and his cargo, after he has given the necessary bonds respecting spirits, gunpowder, &c., as provided for in the Port Orders touching spirits. That will be a subject for your further consideration. On any material subjects started by Mr. Campbell, I should recommend you to suggest the necessity of a written opinion.

1806

20 Aug.

* * * * *

Although I am confined with the gout, I am still perfectly able to give all your wishes, and shall be happy to give you every satisfaction you may wish. Mrs. King, who writes this, will be (whilst I am unable) to answer your letters.

King laid up
with the
gout.

My Sir,—Having said thus much for my husband, permit me to request your presenting my kind remembrances to Mrs. Putland. I remember that three miles from Parramatta I was met by little and Harriot. She was quite pleased to see me. I am sorry I found King very unwell, fast in bed; but I pray that this may be short.

Mrs. King's
friendly
messages.

Yours, &c.,

A. J. KING.

GOVERNOR KING TO GOVERNOR BLIGH. (Colonial Secretary's Papers)

My Sir,

22nd August, 1806.

22 Aug.

Cayley is just returned and should have waited on you to-day but that he is much fatigued and in want of rest, which I employ in arranging his track and observations. He is of opinion that the wild cattle cannot pass their present enclosed range, which was a great point I wished to be certain of, and has but little hope of those barriers being passed until fences are extended westward. He has confirmed the existence of a large tract of level forest land beyond Natai, which is a very satisfactory circumstance, inasmuch as it confirms Barrallier's observations on that head, and will hereafter be of great use in extending the interior establishments, by which means the object of passing the mountains can be accomplished; and as it is—as strange—that if his party had not taken the supply they were furnished with they must have been lost.

Caley's
return from
exploration.

I saw a number of cast-off bulls and some herds of cattle, and constantly heard the lowing of the numerous herds; but as his journey was onwards, no stay was made to form any observation on the subject.

The Cow
Pastures.

I have not seen the settler who accompanied Cayley, but I am to send for him to-morrow (if he is able to come, as I am told he is quite knocked up) and talk to him on the subject of killing the wild bulls; but I think it is more than possible, were he inclined

Caley's
companion.

1806
22 Aug.

The wild
cattle.

to undertake it, that time would shew fifty would be mutilated for one shot. Nor do I think such a measure would be advisable, until it could be done on a regular system—such as to give the entire charge to a person of respectability, and to be assured of at least two very expert marksmen; without which a departure from their present state of prohibition might produce some extensive evil to that certain resource. I mean to say that under any circumstance it would be most desirable to remove the bulls; still, I should be sorry to see it done in an insecure manner.

* * * * *

Perhaps a person from England, fully equal to the object of managing these wild herds, being sent here with a liberal allowance for numbers reclaimed might be the best mode of systematizing that important object.

Spirits in
reward.

Having denied Cayley's party any spirits to take with them, but promised them an allowance of half a pint a day if their behaviour was approved by him, which is fully the case, I will thank you [to] sign the enclosed order to the Commissary, as well as for some articles for a deserving free man that accompanied them. The settler being a very deserving and occasional useful man on these excursions must be rewarded some other way, as an encouragement to similar efforts.

Plants.

Cayley has brought some valuable specimens of plants which he is anxious to send our dear friend* by the Buffalo, but is distressed for paper. Will you be so kind as to sign the enclosed,† and as it will preserve what will be agreeable to Sir J., I do not regret having lost a bet to ascertain its being in the store. Just as I had got thus far Mr. Symons made his appearance. By the proposed General Orders I sent‡ you will observe I counted more on the Sophia than the Estramina's return. As I concluded the bargain with the owners of the King George I think it would be right to send her. I am glad to find Collins had twelve weeks grain at the ration he is at. They are rich compared with us. I rather think the promptitude with which the King George was offered, and the terms, was with a plan of her bringing here a quantity of tea, &c., which it might be imagined Collins would have allowed to be landed from the Criterion, but he has acted right and done his duty.

Shipping.

How far they may wish to send her now I cannot tell; but it would be as well that Mr. Harris should ascertain when she will be ready to receive the stores on board and the necessity of her

* Doubtless Sir Joseph Banks.

† The orders which King forwarded with this letter were no doubt sent on to the store and have been lost.

‡ These proposals were adopted by Bligh and published as a Government and General Order, on 23rd August, 1806—post, p. 173.

ng despatched as soon as possible. The following are the articles should propose being put on board by the Commissary :—

1806

22 Aug.

All the spirits designed for that settlement (received by the Sinclair), unless you might wish to make a reservation of part, which can be done on the ground that a quantity was purchased here and sent to answer the vice that sent by the Sinclair was designed for.

Stores, &c.,
for Van
Diemen's
land.

The two marine officers and their baggage.

Twelve tons of salt pork.

Two chests of medicines and one hamper arrived in the Sinclair for that settlement, and one-fourth of the hospital stores received by that ship.

And a proportion of slops for 300 men, altho' none were destined from England for that service; and to make the few soldiers he has satisfied, I could order the Commissary to serve one hundred pair of shoes.

These are the principal things I recollect on that subject, which fear will give you some trouble to decypher, as I am still in great pain, and I have only my right hand free to assure you how much and sincerely I remain, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

23rd August, 1806.

23 Aug.

ALL settlers and other descriptions of persons who have any prisoners on the store, or Government labourers in their employ who understand sawing, are required immediately to render a list of their names to the Secretary's Office at Sydney, Mr. Marsden at Parramatta, and Mr. Arndell at Hawkesbury.

Sawyers
wanted.

Whereas great inconvenience attends boats which come loaded with vegetables and other articles for barter with the inhabitants and others at Sydney, it is ordered that in future no purchase shall be made until everything is landed at the place now appointed; and that the market shall not be considered to be opened until seven o'clock in the morning.

The morning
markets.

The said market place shall extend from the end paling of Daniel McKay's garden, in the middle of High-street, towards the Parade.*

The Market-
place.

The remaining Government stacks being found less productive than supposed, and the absolute necessity of preserving a quantity of maize for seed, it is necessary to direct a further reduction in the ration of dry provisions, and an increase of the animal food in the following proportions, viz. :

Scarcity of
grain.

To all men three pounds of grain, five pounds and a half of salt pork or nine pounds of salt beef, and eight ounces of sugar; women and children in proportion.

The reduced
ration.

The Governor feels happy at the report of the gentlemen who have taken the last musters, that, notwithstanding the melancholy scenes occasioned by the late inundations at the Hawkesbury, yet the settlers in general in this quarter, and in other parts of the

The Hawkes-
bury
settlers.

In the plan of Sydney by James Meehan, dated 31st October, 1807, and enclosed in his letter of same date, post, p. 366, in this volume, it will be seen that the Market-place was situated in Lower George-street (then called High-street), near Sydney Cove (now Circular Quay).

1806

23 Aug.

colony, have used their utmost exertions in sowing a quantity of, wheat than could possibly [be] expected, appearance of which promises a future abundance.

Seed from
Norfolk
Island.

And that no possible means may be untried to procure maize, His Excellency has hired a vessel to go to Norfolk to obtain a supply if it can be spared.

Maize in
private
hands.

It appearing by the musters that some individuals procure maize by them than their families should expend under the pressure of the times, their humanity and benevolence towards the distressed, never be more strongly marked towards each other than by contributing to the necessitous, who call for assistance on that principle the Commissary will be directed to receive any quantity of maize, however small, into His Majesty's stores at Sydney for the express purpose of distributing small quantities of seed to those settlers who are destitute of seed, to make an allowance of twenty shillings for each bushel of seed maize put into the hands of those for that purpose.

Masters of
ships to
economise.

All masters of merchant vessels, and owners of Colonies are recommended to put their respective people at the same reduced ration, as no grain can be allowed to any vessel of that description until the daily expected supplies of rice are received until the wheat harvest is got in.*

PUBLIC NOTICE.

25 Aug.

Charge for
grinding
corn.

25th August

GOVERNMENT mills will take in corn to grind for individuals on the condition that every eleventh bushel be paid into the public stores for the relief of the distressed settlers at the Hawkesbury. The remainder will be distributed under His Excellency the Governor's Order.

GOVERNOR BLIGH TO THE RIGHT HON. WILLIAM WAGLAND,
Sydney, New South Wales.

26 Aug.

Land grants

Sir,

26th August

On the 20th instant Captain Short, commanding His Majesty's ship Porpoise, presented to me a letter, dated 1805, from Mr. Cooke,† stating the intentions of my Lord Camden in giving me directions to locate to him six hundred acres of land.

* With the exception of the three opening paragraphs, this Order was sent from Parramatta to Bligh at Sydney, with a suggestion that when a copy should be forwarded to Mr. Blaxland, "who," King wrote, "I much feared would be plagued with."

† The letter was as follows — "Sir, — I am directed by Lord Camden to give you the following instructions will be given to Governor Bligh to locate six hundred acres of land for your arrival in New South Wales, and to allow you such number of convicts and cultivating the same as can with convenience be spared, which convicts and victualled from the public stores for the space of eighteen months, and by you. The Governor will also be authorized to allow you to purchase in England, such stock and stores belonging to Government as can conveniently be procured. I am, &c., E. COOKE."

Mr. Townson, late a captain in the New South Wales Corps, a respectable gentleman, and who has come out with means to do so, has presented me with a similar document for one thousand acres. As I am under uncertainty how to proceed, as [neither] Governor King nor myself have received any authority according to the tenor of Mr. Cooke's letter, I beg leave to request instructions on the subject.

1806
26 Aug.

I have &c.,

W'M BLIGH.

GOVERNOR BLIGH TO THE RIGHT HON. WILLIAM WINDHAM.

Government House, Sydney,

Sir, New South Wales, 26th August, 1806.

The opportunity by which I now have the honor to write to you will only allow me to state generally my arrival here, and entering into the government of the colony. Perhaps my enlarged details will arrive as soon as this by the ships which are to follow, and I shall have more due time to make my dispatches of the consequence which circumstances at this time render them.

Governor
Bligh's
arrival.

I arrived on the 6th instant, in the Sinclair, transport, with His Majesty's ship Porpoise, after a stormy passage of fifty-one days from the Cape of Good Hope,* from whence I wrote the necessary information attending the voyage that far.

The necessary arrangements would have been finally closed with Governor King, but I am concerned to say a severe illness of the gout has delayed it, which, however, I hope will not be of long duration, and that he will be able to sail in the Buffalo, the ship he commands, in the course of a month, it being his anxious desire to do so. He will be particularly able to describe the state of this colony, which at present I lament in representing is in considerable want of grain from the overflowing of the Hawkesbury. This evil I shall endeavour to provide against in future, if I find it practicable to put my plans into execution to prevent so heavy a calamity as loss of property and food.

Governor
King to
leave in the
Buffalo.

Governor King informs me his dispatches will before this have acquainted you of the misfortune, which unhappily I cannot immediately relieve.

The flood.

A great want of grain for seed also pervades the settlement, to remedy which my only hope is a supply from Norfolk Island, whither I shall send a Colonial vessel without delay.

Scarcity of
seeds.

In addition to this misfortune, the vessels that have arrived here came short victualled under expectations of plentiful supplies; so that I take the government labouring under distress and embarrassment, but which I trust and hope will in part be removed by the ensuing crops. It will, nevertheless, be some years before the individuals can realize their property again with all the

Distress and
want.

* Bligh sailed from the Cape, on 17th June, 1806.

1806 assistance I may be able to give them ; while I feel confident in due
26 Aug. time to be able to restore it, and place them in greater opulence
and comfort.

A vessel sent for rice. The Sydney, an East India ship, was sent from hence to Calcutta to procure a supply of rice, the 14th April last, but it is feared she will not return until January next.

Other expenses. This circumstance will increase the expence of the colony, and I am to observe also that it will be still increased by putting the public stores and buildings into repair, without which they will become of no use.

Failure of imported seed. The wheat and barley which has been sent out in the Sinclair will not grow, so that the intentions of Government in giving a supply of seed is of no effect.

I find also that the grain sent out in the Pitt was in the same state ; and I recommend, instead of packing it in casks, it should be put in bags, stowed in an airy part of the ship, and frequently aired. Had I known what had been ordered out in the Sinclair, the grain should have been landed in good order.

The Fortune and Alexander have landed their convicts in good health, and the former sailed for Bengal, the 19th instant.

I beg leave to inclose the *Sydney Gazettes*, and I have the honor to be, with the highest respect, &c.

W^m BLIGH.

GOVERNMENT AND GENERAL ORDER.

30 Aug.

30th August, 1806.

Assisting the losers. THE public stores will be open to receive any contribution which the benevolent mind will bestow, to assist the distressed settlers on the Hawkesbury, which will be issued according to reports from a committee. The names of the subscribers who give such charitable aids will be inserted in the public *Gazette*.

Distributing aid. In order to the due distribution of these aids, His Excellency will direct two magistrates* to proceed to the Hawkesbury, and there taking ten of the most respectable settlers, they will, according to the best of their ability, point out who are the most indigent and distressed persons to receive relief as they shall stand most in need.

Grain not to be hoarded. And it is further hoped that those persons who have not felt the late calamity, and are able, will sell their grain to such of the sufferers as are disposed to purchase, under any obligation that may be required.

The price of labour. His Excellency further recommends, and wishes to impress it on the minds of everyone employing labourers, the necessity of not paying a greater proportion of grain for their labour than according to its increased value at this important crisis.

* Messrs. Marsden and Arndell were ordered to undertake this duty.

MANUSCRIPTS IN THE ALNWICK CASTLE LIBRARY.* 1806

OBSERVATIONS ON HORNED CATTLE IN NEW SOUTH WALES. — Aug.

August, 1806.

number of horned cattle in the colony in August, 1806, was 6. The originals were brought principally from the Cape of Good Hope and India. Some few have been imported from India. In whatever country they came, their offspring are, in general, superior, both in size and quality, than the original stock. Those imported from India have been commonly very small, but they thrive well, breed very fast, and, when crossed by the Cape cattle, their produce are very fine cattle, and keep themselves in high condition. They grow much quicker than the English cattle, and show a much greater inclination to fatten. Few of the Cape cattle will give much milk, but bring up their calves well. The Cape cattle are much larger, but bad milkers also. They promise to be fine cattle for slaughter. The whole of the cattle, whose attention has been paid to them, have made a progressive improvement. Those which are kept in the open forest are healthy and in good condition all the year. The horned cattle promise to be a source of great national wealth. The forests afford them abundance of food the principal part of the year; hence the expense of breeding them is very trifling compared with those countries where it is necessary to give them straw, hay, or vegetables in winter. The richness of the natural pasturage, the mildness of the climate, and the mildness of the lawns all conduce to their healthiness, increase, and size; and there is every prospect that New South Wales will breed as good cattle as to be found in the whole world. As no females are slaughtered, their numbers must in a very few years be very great—only sufficient to supply the demands of the settlement; and if attention be paid to rearing them, a very considerable quantity of beef, hides, and tallow may be exported. Their numbers being 5,286, in ten years, upon a rough calculation, they will amount to more than 80,000. There can be no want of food, as the forests will yield abundance of grass almost for any numbers, as the number increases, the cattle can be drove back into the country. They require little care, being strong and powerful, and no animals yet found that do them any injury. Four men would be sufficient to superintend the feeding of five hundred and take particular care of them. A farmer may keep five hundred of horned cattle in the forest for one hundred and sixty pounds per annum—a very small sum to the return they will give, as their food will cost him nothing. The farmers who wish to improve their breed to the highest perfection, or want cows for

Horned cattle.

Origin and rapid increase.

A source of great national wealth.

Favourable conditions.

Cost of keep.

Duke of Northumberland Papers. The originals are in a clear round hand, and it is probable they were communicated to the Duke of Northumberland by Johnston and conveyed by Governor King.

1806

— Aug.

domestic purposes, as milk, butter, and cheese, may find it to their interest to lay down with artificial grasses some of the cleared lands—the low lands near the banks of rivers and creeks, where the soil is rich and moist—for feeding pastures for horned cattle, as the grass would be very luxuriant, and the cattle might be supplied with abundance of good water in the dry lawns.

Breeding.

The females generally breed young, having a calf at the end of two years. Breeding so early does not appear to injure the size much or check them in their growth. If they are prevented from breeding, and not left to follow Nature till they are two years' old, they sometimes become so exceedingly fat that they will not breed afterwards. On this account it is prudent to let them follow Nature so long as their value continues to be so great. It is a serious loss to a farmer if he has a cow that will not breed from being in too high condition, as the sum he could obtain for her from the butcher would not equal the advantages he would derive from her produce. A good breeding cow is worth forty pounds sterling. If she brings one calf per annum she makes a very good return to the proprietor. Horned cattle are an object worthy the first attention of the farmer in every sense, and are sure to be productive of great wealth. He can keep them at little expense. They will supply his family with milk, butter, cheese, and beef. They will furnish his teams with oxen; they will bring manure to his grounds, by which his estate will be improved. His extra bullocks he can bring to market when fat and turn them into money. It has not been ascertained as yet to what degree of perfection the cattle can be brought, or how heavy they may be made to weigh when five or six years old. The oxen now fed entirely upon the natural grasses in the forest will weigh from eight hundred to twelve hundred pounds, and some of them have been bred from very small India cows crossed with a larger breed. As the cattle continue to increase in size where attention is paid to them, time and experience can only determine what perfection they may be fed to hereafter. If ever they should be fed upon cultivated grasses, some of them will weigh from twelve to fifteen hundred pounds, and probably more. Hay, grass, and Dutch clover are found to succeed well, particularly upon moist land. Other English grasses have not as yet been cultivated; neither have rye grasses, clover, or lucerne been much attended to. The farmers have not found the want of artificial food for their cattle, as the neighbouring woods have hitherto yielded a sufficient quantity; but if their cattle increase, they must either drive them further into the forest or raise artificial grass for them.

Advantages
and profits
arising from
breeding
cattle.

English
grasses.

Nothing can demonstrate more fully how congenial the climate and soil is for rearing cattle than the condition of the wild cattle. They are entirely left to Nature, have no care or attention from

men, and more noble animals cannot be seen in the most cultivated pastures. They are invariably large, and as fat as they can walk. Their numbers are unknown, but these must be very considerable, as great herds are seen in different parts of the pastures where they feed. They may hereafter become of great national importance for their hides and tallow. As the full-grown cattle are very fat, it is probable some method may be suggested to salt down the carcasses, and turn them to account also. If the wild cattle should not turn to any great public benefit, the tame cattle most assuredly will, because they may be increased to any numbers and with very little expense, from the great extent of the country, the abundance of food, and the mildness of the climate. In the course of a few years 30,000 may annually be slaughtered, which will produce, averaging the bullocks at eight hundred pounds each, twenty-four millions of pounds of beef. When this quantity of animal food can be raised, hides, tallow, and beef to a very considerable amount may be exported. As horned cattle require little care, are subject to very few diseases, make a good return to the proprietors, it is probable that the farmers will find it to their interest to pay more particular attention to them than to any other kind of grazing stock.

1806

— Aug.

Favourable-
ness of
climatic and
other con-
ditions.24,000,000
lb. of beef.

OBSERVATIONS ON SHEEP IN NEW SOUTH WALES.

THE number of sheep in the colony is 21,457. The original stock from whom those have been bred were imported from the Cape of Good Hope, India, England, and Ireland, tho' not many from the two latter countries. The climate has been found to agree well with these delicate animals, as they have invariably improved from whatever country they were brought, both in fineness of fleece and weight of carcase. All the sheep from the Cape and India were covered with hairs, excepting a few brought over in His Majesty's ships Reliance and Supply, by Captains Water [Waterhouse] and Kent, in the year 1797, which were said to be of the Spanish breed. The rams very much improved the breed that was in the colony when they arrived, as they were a very much larger breed and carried a superior fleece from any that had been imported previous to that period, tho' there is reason to believe that these rams were not of the true merino breed, being much larger; yet many fleeces produced from the breed of these rams have borne very fine wool, and equal in quality to the best Spanish wool. It is possible that they may have been half-bred from the merino sheep. There was also one Southdown ram imported from England in 1800, which has very much improved the breed. The breed from this ram has been preferred by many of the sheep-farmers to the Spanish, being found more strong and hardy, and ready for the butcher. From the experience already made, the climate and soil of New South Wales are well

Cape sheep.

Improving
the breed.

1806
— Aug.
Climate and
soil.

Probable
increase.

adapted for the production of fine wool and a good breed of sheep. The country itself is capable of maintaining any number of sheep, and of producing any quantity of fine wool ; but at the same time it will not possess for many years the necessary means for applying the natural resources and advantages of the country to these objects. It may easily be calculated what would be the probable increase of 21,000 sheep in ten years if they were taken proper care of ; and also, if they were all of one breed, what quantity of wool might reasonably be expected from their fleeces in the same given period. But to realize, in making this calculation, the number of sheep and quantity of wool, many very necessary and important objects must be taken into consideration and included in the estimate, or the whole will be found a mere empty speculation. This calculation may appear clear and plain in theory to persons unacquainted with the local situation of the colony and the state of society there, but it will be found very erroneous in practice. In the first place, the sheep should be all of one pure breed, or no specific inference can be drawn either of the quantity or quality of the wool which they will produce. Experience shows, in New So. Wales, that an ewe with a fine fleece, removed three or four generations from the Cape or Indian breed, tho' she may be put to a Spanish ram, will sometimes bring forth a lamb covered with hair or spotted like a goat, and similar to the original breed from which she sprung. It will be very difficult to ascertain how many generations Nature may require to completely annihilate the injurious effects of the original stock upon the carcasses and fleece.

* * * * *

The 21,000 sheep that were in the colony in August, 1806, were composed of all the different breeds that had been imported, and very few comparatively fine-wooled sheep amongst them. No real merino had been imported till the arrival of the *Argo* in June, 1805.*

* * * * *

Obstacles to
be sur-
mounted.

With respect to increasing the number of sheep, there is another serious object to be taken into consideration. Sheep are very delicate animals. Without the constant care and attention of man they will not succeed. They are liable to various diseases in every climate, and in N. S. Wales to be destroyed also in the forests, where they feed, by the native dogs—a very savage animal, something of the wolf species. As their number increases they will require an additional number of shepherds to look after them ;

* This was the vessel in which Captain Macarthur returned to the colony. The sheep referred to were purchased by him at the King's sale in August, 1804 (see vol. v. p. 463). According to Governor King (ib., p. 674), Macarthur embarked eight. One ram died on the voyage, and another shortly after arrival at Sydney, leaving him but six—five rams and one ewe.

but these men are not to be hired in N. S. Wales. Even at present, when their numbers are small, men of judgment cannot be found to take care of them. Some of the flocks are under the care of a taylor, barber, or shoemaker for want of men better qualified, who have no knowledge of sheep—can neither assist the ewes in lambing season nor remove any of their complaints; hence many must unavoidably die thro' the ignorance and inexperience under whose charge they are put. Men of every description are so scarce in the colony that the farmers who have small flocks cannot procure the necessary assistance to take care of them. If they were to neglect their cultivation and to devote their whole time to sheep this would soon produce a famine. On this account some of the farmers have sold their flocks, and others do not put that value upon them, because their general welfare requires more attention than they can possibly bestow upon them.

1806
— Aug.
Scarcity of
good
shepherds.

* * * * *

None who are acquainted with the country of New South Wales will call in question the salubrity of the climate, the richness of the soil, and the goodness of the natural pasturage; but every one who knows the internal strength of the colony will see the impracticability of increasing the flocks above a certain number, and that number must be regulated at all times by the strength of the settlement. Even if the farmers found it their interest to pay particular attention to the growth of wool, horned cattle and horses are daily increasing. These require an additional number of men to take charge of them, and most of the farmers put a greater value upon this kind of stock than upon sheep, because they make a much greater return, with less risque, trouble, and expense.

The soil and
climate.

* * * * *

From what has now been stated, the situation of the flocks of sheep and the growth of fine wool will be obvious; and also that the expectations of the public have been raised too high respecting the great advantages the British manufactures (*sic*) would soon derive from the production of fine wool in New South Wales. The country is capable of producing any quantity if the present great difficulties which stand in the way could be removed—difficulties which have a real existence, but apparently have not been naturally considered.

Sanguine
prophets.

OBSERVATIONS ON THE PRESENT BREED OF HORSES IN NEW SOUTH WALES.

THE number of horses in August, 1806, was five hundred and fifty-two, males and females, of which three hundred and five were females. These were originally brought either from the Cape of Good Hope or India, excepting one horse and one mare, which

The breed of
horses.
Origin and
increase.

1806

— Aug.

India and
Cape horses
compared.

came out in His Majesty's ship *Buffalo*, in the year 1802—the former the property of Major Johnston, and presented to that officer by His Grace the Duke of Northumberland; the latter, Captain W'm Kent's. The horses bred in the settlement have generally been found far superior to the original stock, both in strength and beauty. The Cape breed are much better adapted for the service of the settlement than the Indian horses, as they are capable of undergoing greater labour, and not so delicate and tender. The Indian horses require very good feeding and considerable care to keep them in condition and fit for service; at the same time, they are much more lofty and majestic than the Cape, as well as more spirited. Cape mares and Indian horses have produced some very serviceable stock, both for the saddle and harness, and which are found to be hardy and well calculated for use. Since the importation of the English horse,* which is a fine noble animal, nearly seventeen hands high, the breed that has been reared from him are much larger than any that were in the colony before his arrival, and will be found of very essential service to the colony. From the present stock there is every prospect that the settlement will possess an excellent breed, as well as a very considerable number of horses.

Encourage-
ment to
breeders.

Horses will be of the greatest benefit to the colony by the assistance they will give to agriculture, as well as to the general convenience of the inhabitants. Whether the farmers will hereafter find it their interest to breed more than may be necessary for the general use of the settlement, is a point that cannot yet be determined. At present their price is very high—from one hundred to one hundred and fifty pounds sterling for a common mare, from thirteen hands and a half to fifteen high. As they are bred with little care or expense in the forest, like the horned cattle, their price must in time be reduced in proportion to the increase in their numbers; but so long as their value continues so immensely great, the proprietors will pay particular attention to them, and will study to breed as good horses and as great a number for their own interest as they possibly can. This will tend to a speedy augmentation of their numbers, and also to a reduction of their present high price, which will afford an opportunity to the poor farmer to purchase a horse to assist him in his cultivation, and to bring his grain to the market. The increase of the horses will greatly diminish the quantity of manual labour, and relieve the cultivators from the impositions and extortions of the men they are necessitated to employ in cultivating their land, by which the general welfare and prosperity of the settlement will be promoted.†

* *Note in original.*—"This is the horse presented by His Grace the Duke of Northumberland, to whom the colony are under the greatest obligation." According to Edward Macarthur's letter of 1st October, 1808, post, p. 775, it was named "Northumberland."

† The paper is unsigned.

THE NEW SOUTH WALES CORPS.

183

1st September, 1898.

Companies.	Officers present.											Bergants present.	Effective rank and file.								Wanting to complete.	Alterations since last Return.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
	Commissioned.						Staff.						Colonel.	Lieut.-Colonel.	Major.	Captain.	Lieutenants.	Ensigns.	Adjutant.	Paymaster.			Quartermaster.	Surgeon.	Asst. Surgeon.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				

1898
1 Sept.
The military.

1806
1 Sept.
The mili-
tary.

GENERAL RETURN of His Majesty's New South Wales Corps, 1st September, 1806.

Absent officers' names and ranks.	From what time.	By whose leave.
Colonel Grose	15th Dec'r, 1794	His Majesty's.
Major Foveaux .. .. .	.....	.....
Captain Savory	Not joined .. .. .	.....
" Grosser	do .. .. .	.....
Lieutenant Bayly .. .. .	.....	Resignation given in ; Commanding Officer's leave of absence.
Ensign Cressy	25th April, 1805	Commanding Officer's leave of absence.
Lieutenant Anderson	25th May, 1805	Resignation given in ; Commanding Officer's leave of absence.

To what time.	Names and rank of officers on duty, and what duty.	Vacant officers, and by what means.
.....	Lieut't-Col. Paterson, at Port Dalrymple.	Lieut't Davies, dead.
.....	Captain Kemp, do	Assist't Surgeon Roberts, dead.
.....	Lieut't Moore, do	Ensigns Barrallier and Wilson, promoted.
.....	Lieut't Laycock, do	Serjeants on command, 11.
.....	Ensign Piper, do	Drummers do 6.
.....	Lieut't Piper, at Norfolk Island.	
.....	Captain Abbott, at Parramatta.	
.....	Lieut't Brabyn do	

Geo. Johnston, B.-Major, Commanding.

EX-GOVERNOR KING TO SECRETARY MARSDEN.

1806

Sir, Sydney, New South Wales, 6th September, 1806.

6 Sept.

Although it is possible I may arrive in England as soon, King prepar-
ing to return
to England.
 a short time, after this letter may reach you, yet I consider it
 my duty to acknowledge the receipt of their Lordships' directions,
 dated 15th Nov'r, 1805, requiring me, as soon as I was relieved
 in the Government by Captain Bligh, to repair, without loss of
 time, with His Majesty's ship Buffalo, to Spithead, to await their
 Lordships' further orders.

Captain Bligh arrived here the 7th of August,* and on the 13th
 of that month I gave the command up to him, with every mark of
 respect and ceremony due to his situation. I intend to sail
 between the 28th instant and 5th October, and shall attempt the
 Western Passage, through Bass's Straits, in which case I propose
 touching at the Cape of Good Hope; but should the prevalence of
 the westerly or south-west winds oblige me to make the passage
 by Cape Horn, it is my intention to touch at St. Catherine's or
 Rio de Janeiro.†

I have, &c.,

PHILIP GIDLEY KING.

EX-GOVERNOR KING TO THE RIGHT HON. WILLIAM WINDHAM.

Sir, Sydney, New South Wales, 6th September, 1806.

With this I have the honor to transmit duplicates of my late Duplicates.
 despatches, dated as p. margin,‡ and those which I had written
 previous to Governor Bligh's arrival, when I had the honor to
 receive my Lord Castlereagh's despatches, dated as per margin.§
 Immediately on their receipt, I directed the Harrington to be liber-
 ated, and the bonds given by the commander, &c., were cancelled. Liberation
of the
Harrington.
 For the proceedings which took place prior to my receiving that
 despatch, and on hearing that war had taken place between
 England and Spain, I respectfully request your reference to the
 accompanying despatches, dated 26th July, 1806.||

Should the great multiplicity of perhaps more important public His
Majesty's
approbation.
 affairs have permitted your being informed of my conduct and
 the motives by which I have been guided in administering the
 government of this colony, you will readily conceive the great
 satisfaction I experienced on receiving my Lord Castlereagh's

* According to the *Sydney Gazette* of 10th August, 1806, Captain Bligh arrived on Tuesday, 5th August.

† The Buffalo sailed on 10th February, 1807. The voyage was made *via* Cape Horn. After a very stormy passage of fifteen weeks she arrived at Rio de Janeiro with the loss of two of her top-masts, the rigging rotten, and the hull leaky. A complete overhaul had to be made before she could resume the voyage, and she did not, in consequence, reach England until early in November, 1807.

‡ 7th April, 1806, ante, p. 59; 26th and 27th July, 1806, ante, pp. 112 and 113.

§ 20th November, 1805, vol. v, p. 735.

|| See the despatches of 26th and 27th July, 1806, ante, pp. 112 and 113. In the matter of the Harrington, King was directed to release the captain, his ship, and crew. At the same time the Secretary of State expressed his approval of the "spirit and principles under which you have acted."

1806
6 Sept. despatch, dated 20th Nov'r last,* which contained such an honourable and gratifying testimonial of the Royal approbation of my conduct in the arduous task I have had to perform.

Agreeable to His Majesty's commands, I am possessing Governor Bligh of every document and circumstance which may tend to the future welfare of these remote parts of His Majesty's dominions.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNMENT AND GENERAL ORDER.

8 Sept.

8th September, 1806.

Relieving
necessitous
settlers.

IN consequence of the distressed settlers at the Hawkesbury, the Commissary is directed to relieve a certain number of the most necessitous for six weeks—until the harvest is got in—by appropriating two bullocks weekly from Government stock, to be issued in the proportion of half a ration to the settlers whose names are expressed in a list which the storekeeper at Hawkesbury is furnished with for that purpose, on condition that such settlers as take that relief are to pay for the same in grain the ensuing harvest, at the rate of one shilling a pound for the fresh meat so issued.

Any person detected in selling or disposing of any part of this supply will be punished accordingly.

GOVERNMENT AND GENERAL ORDER.

12 Sept.

12th September, 1806.

The haunts
of the wild
cattle.

HIS Excellency, in confirming his predecessor's proclamation of the 6th of July, 1803,† forbidding any person passing the Nepean, &c., hereby directs that no person whatever, except officers, do at any time resort across the River Nepean on any pretext, excepting the people employed by Messrs. McArthur and Davidson, who attend their flocks of sheep, and the limited number of people appointed by His Excellency to assist John Warby in taking the cast-off bulls, which persons to be provided with tickets signed by me, and countersigned by the magistrate at Parramatta, Thomas Harper and John Warby, constables of Camden county, and the military guard at the Cow Pastures and Hut, having full authority for that purpose. All persons, civil and military, and others, are required to be aiding herein.

GOVERNMENT AND GENERAL ORDER.

13 Sept.

13th September, 1806.

Regulations
concerning
assigned
servants.

WHERE an indented servant belonging to a settler or other person is convicted of any offence before the Criminal Court or Bench of Magistrates for which he is sentenced to imprisonment or the gaol

* This was the letter (vol. v, p. 735) in which Castlereagh communicated to King "His Majesty's entire approbation of the conduct you have manifested in the important charge committed to you, and his satisfaction at the improvement which the colony has received under your superintendence."

† Vol. v, p. 168.

gang, information thereof must be given to the Secretary's office, in order that such name may be erased from the indent. And no person whatever will be allowed the labour of convicts without indenting for them for one year at the time of receiving permission to take them off the store, nor will the Governor receive any application for exchanging servants allowed to officers or other persons unless they have been twelve months in their service or convicted as before mentioned by a Court of Justice.

1806

13 Sept.

NOTICE.

14th September, 1806.

14 Sept.

ANY settlers who have proper ground and disposed to sow hemp seed may give in their names to the Secretary's office, and a day will be appointed for the distribution of a quantity in Government stores.

Hemp seed.

SIR JOSEPH BANKS TO GOVERNOR KING. (King Papers.)

My dear Sir, Revesby Abbey*, 20th September, 1806.

20 Sept.

I grieve that I have been so often disappointed in my intention of writing to you by being confined by the gout at the time when opportunities offered. I have, in fact, till this year been harassed in a degree scarce credible. I have not been two months from fit to fit, and, of course, scarce clear of the first before the second placed me again in my bed. Last year ended with forty days in bed. This has been better. I now live on vegetables entirely and drink nothing but water. Since this regimen has taken place I have never been confined to my bed, and I now hope to be better.

Banks a martyr to the gout.

As I am now to see you soon, I need not make this letter a long one. I may, I hope, give you joy that the quiet disposition of the colony, which you brought about after so much labour and difficulties so very discouraging, continues. Your merit has been very great, and your conduct such as in my opinion deserves much reward. I trust that the fluctuation of Administrations will not act against you, and I trust it will not just now. I confess I have my hopes that Mr. Fox's death will drive all the profligates who now hold the keys of the Treasury into the Red Sea, and that we shall have a succession of honest and quiet men placed in their room. If this happens you have nothing to fear; your good deeds will speak for themselves. But, my dear sir, I beg you to be assured that whoever it may be who fills the Colonial Department when you return, you may be sure of my earnest and active solicitation that such things may be done for you as you deserve, and that in my opinion is not a little.

Banks's high praise of King.

* In vol. v, p. 692, Revesby Abbey is incorrectly printed as "Revesley."

1806
20 Sept.
Caley.

The release
of Flinders.

I conclude by what I have heard that Caley is on his way Home.* If he stays, I have recommended him to Governor Bligh, who, I am sure, will use him well.

At last I have succeeded in soliciting an order of liberation for Capt. Flinders. M. De Bougainville, the circumnavigator, got an order for his release, which I hope has gone from France a month ago. He has been grievously used.† Capt. Milius, who you know, and who always expressed the highest gratitude for your excellent usage of the French discoverers, was a prisoner, and I obtained his release on that account.

Adieu, my dear sir!

JOS. BANKS

John
Blaxland.

The bearer, Mr. Blaxland, is a man in whose destinies I take a deep interest. Any civilities you can show him I shall thankfully acknowledge. I have recommended him warmly to the new Governor.‡

SYDNEY SETTLERS' ADDRESS TO GOVERNOR BLIGH.§

AN ADDRESS to His Excellency Wm. Bligh, Esq., Captain-General and Governor-in-Chief in and over His Majesty's territory of New South Wales and its dependencies, &c., &c.

22 Sept.
Address
from free
inhabitants.

May it please your Excellency,— 22nd September, 1806.

We, the free inhabitants of Sydney, in the territory of New South Wales, collectively and individually, respectively beg leave to offer our unfeigned congratulations to your Excellency upon your appointment to this government, and to express our happiness at your safe and long-wished-for arrival.

Their
confidence
in Bligh.

We have an undoubted confidence that your Excellency, by a just, firm, and wise government, will promote the happiness of all who deserve it, and we trust that no false impressions to the prejudice of any of the subjects over whom you are to rule will best weigh in your Excellency's mind; but we entreat you to, and doubt not but you will, govern us with an impartial hand, and do

* Banks had been misinformed. In the spring of 1808 Caley was still at Sydney.

† See the letter of 21st March, 1806, from the French Minister of Marines to General De Caen, published by Flinders in his *Voyage to Terra Australis*, vol. ii, p. 460. Although there seems to be no doubt that the French Government had officially approved of Flinders's liberation in March, 1806, it was not until June, 1810, that he was allowed to leave the Isle of France.

‡ Evidently Mr. (afterwards The Honorable) John Blaxland. He had, according to Burke's *History of the Colonial Gentry* (vol. i, p. 788) equipped his younger brother, Gregory Blaxland, who came out in the *William Pitt*, arriving on 11th April, 1806. The same authority states that John Blaxland built the boat *The Brothers*, in which he, his wife and family, and servants came out to the colony. She sailed from England, according to the *Sydney Gazette* of 5th April, 1807, on the 17th October, 1806, and arrived at Sydney on the 3rd April following. According to Blaxland's own statement she was the joint property of himself and the firm of Hulletts Brothers, of London. Despite Banks's warm recommendations to Governor Bligh, the Governor did not long remain on very good terms with the brothers Blaxland. They were amongst the leaders of the revolutionary party who deposed him; and it was not long before they quarrelled with Johnston and Macarthur.

§ See also the Hawkesbury settlers' address, post, p. 190.

honor to the high and important trust our most gracious King has been pleased to depute to your charge ; and we feel animated by a pleasing hope that, under your Excellency's auspices, agriculture will flourish, commerce increase, and we as British subjects enjoy our country's constitutional rights ; and let us assure your Excellency that we are well aware that it is the indispensable duty of us all to hold a reverential regard to the laws under which we have been brought up, and to cheerfully acquiesce in such measures as your Excellency may adopt for the good of the colony and the true interest and happiness of all descriptions of its inhabitants.

1806

22 Sept.

We, with every due submission to your Excellency, beg to state our ignorance of the former addresses* which appeared in the *Sydney Gazette*—one to the late Governor King and the other to your Excellency—at the foot of which appears the names of John McArthur, Esq., for the free inhabitants ; nor do we hesitate in saying that it never was our intention to address the former ; and that we consider such addresses being signed for us by a person undeputed and unauthorised as an infringement on our rights and privileges, as well as being contrary to justice and equity ; and as it is not our general voice, we proclaim it to be (in our opinion) highly unconstitutional, as well as he, the said John McArthur's, taking a liberty that we never have allowed, nor can or will sanction ; and we beg to observe that had we deputed anyone, John McArthur would not have been chosen by us, we considering him an unfit person to step forward upon such an occasion, as we may chiefly attribute the rise in the price of mutton to his withholding the large flock of wethers he now has to make such price as he may choose to demand.

No knowledge of former addresses.

Macarthur not their representative.

Convinced that our prosperity and happiness will be the great objects of your Excellency's care, we earnestly hope your Excellency will find your administration productive of real and permanent satisfaction and honor to yourself ; and we, the free inhabitants, most sacredly assure your Excellency that we will, at the hazard of our lives and property, protect and support you in the due administration of justice, and conduct ourselves as loyal subjects to our much beloved Sovereign as long as we shall live.

Will support Bligh with lives and property.

[Among the 135 names are : S'n Lord, Ja's Jno. Grant, Jesse Mulcock, George Guest, Wm. Regan, Isaac Nelson, John Shea James Ball, Thomas Burges, Thomas Bradley, Henry Shaffrey, Joseph Prosser, Aaron Burt. Michael Geary, James Aitken, Wm. Roberts, John Sparrow, Ab. Whitehouse, D. D. Mann, Adam Riley, George Gordon, Francis Cox, Henry H. Neale, John Lyster, Thomas Stubbs, Joseph Stubbs, Thomas Hartmann, &c.]

Signatories.

* Ante, p. 165.

1806

HAWKESBURY SETTLERS' ADDRESS,* 1806.

To His Excellency, W'm Bligh, Esq., Captain-General and Governor-in-Chief in and over His Majesty's territory of New South Wales, &c., &c.

Address of settlers at the Hawkesbury.

THE address of the settlers, landholders, and cultivators of land, and other principal inhabitants of Hawkesbury, whose names are hereunto written.

Congratulations on safe arrival.

We congratulate your Excellency on your safe arrival in this territory, and we think ourselves happy to express thanks to our most gracious Sovereign for the attention His Royal Majesty has shown to the people of this colony in appointing a person of your Excellency's superior understanding, knowledge, and ability to the government of this country.

We consider ourselves the more fortunate in this at a time when the country is labouring under the greatest calamity in being brought to the near approach of a famine. To avert its advances at this period can only be attained by your Excellency's superior circumspection and wisdom.

Causes of calamity.

We state, with the deepest concern, the occasion of this threatened calamity to be (in some degree) by the great flood which it pleased Divine Providence to send in March last, the rise of the water being near ten feet perpendicular height greater than had been in this colony since it was first inhabited by Europeans.

The Hawkesbury flood.

This disaster happened at a time when the landholders, settlers, and cultivators were struggling to overcome a still greater difficulty occasioned by the oppressions before in practice by a mistaken policy in oppressing the merchants and inhabitants in general by sending from this port ships that arrived with merchandize, of necessaries and comforts, by not suffering them to land their goods for sale, although the colony was in the greatest want of the articles they brought.

Heavy losses.

In having for many years past reduced the price of grain and other articles, the produce of agriculture, to so low a price that the produce of the land would not pay the grower the expenses of cultivation, to the general ruin of the settler, and by not paying for such commodities in money, or such bills as would enable the settlers to purchase articles of necessity at a ready-money price, so that before this unfortunate flood (which gave the finishing stroke to the distresses of the inhabitants), the settlers were in general in that impoverished state that, exclusive of the great length of time it may take to restore the colony, a sum of £200,000 would scarcely restore it to the state it was when Governor Hunter left the colony in 1800.

* This address is not dated ; it was probably prepared at or about the same time as the preceding paper.

We look up to your Excellency in wisdom to put in practice such means as may be for the salvation, honor, and interest of the colony, and for averting the approach of famine and distress to inhabitants —

1906

By restoring the freedom of trade.

By permitting commodities to be bought and sold at a fair open market (by all the inhabitants). A bill of rights.

By preventing that painful monopoly and extortion heretofore practised.

By protecting the merchant and trader in their properties, and the people in general in their rights, privileges, liberties, and professions, as by law established.

By suffering the laws of the realm to take their due course in matters of property without controul.

That justice be administered by the Courts authorized by His Majesty, according to the known law of the land.

By causing payment to be made in such money or Government orders as will pass current in the purchase of every article of merchandize without drawback or discount.

We most respectfully assure your Excellency we are ready on all occasions to lay down our lives and fortunes for the protection and support of your Excellency in the good government, welfare, and prosperity of the colony, and to comply with every recommendation your Excellency may in wisdom propose for the government of this territory. Profession of loyalty.

We look up to the time when it may please His Majesty to authorize in such a manner as his justice may deem meet a legal authority to make local laws for the government of the colony.

We subscribe this address, the loyal people, settlers, landholders, cultivators, and other principal inhabitants of Hawkesbury and parts adjacent.

We, the free inhabitants who subscribe this address, request Messrs. John Bowman, Matthew John Gibbons, George Crossley, William Cummings, and T. M. Pitt, or any of them, as our deputies (in our names) to present this address, and, at the same time, to represent the infringement made on our rights, privileges, and liberties by John McArthur, Esq., who appears by the *Sydney Gazette* to have signed "For the inhabitants" without our previous knowledge, consent or authority, public or private. Deputies appointed.

[Among the 244 names, nearly one-half are signed with a cross. Signatories. Some names may be given :—Edward Reynolds, Andrew Johnston, William Waring, John Austin, Jane Rose, Lazarus Graves, Tho's M. Pitt, R'd Hayman, W'm Hancey, W'm Rouse, Edward Hugh, John O'Hara, R'd Eldwright, Tho's Biggers, Adam Bell, Sam'l Griffiths, Mich'l Connolly, George Crossley, W'm Mason, James Dunn, James Badgery, W'm Cummings, R'd Tuckwell,

1806 Matth' J. Gibbons, H. T. Stockfish, Andrew Hume, Tho's Appledore, Israel Rayner, John Bowman, W'm Bowman, Sarah Stubbs, James Lowry, W'm Slaughter, James Dunlop.]

In compliance with the general wishes of the settlers and other free inhabitants at Hawkesbury and parts adjacent, we are deputed to have the honor of presenting their address to your Excellency.

Disown any participation in address presented by Macarthur.

And they require us in their names to represent, altho' they approve of the address to your Excellency which appear'd in the *Sydney Gazette* on the 17th of August instant, and had they been previously applied to for the purpose, would have given it their assent; yet they consider the act of John McArthur, Esq., in signing for them "the free inhabitants," with[out] previous application or authority, public or private, to be such an invasion of their rights and privileges as British subjects as to call for their pointed animadversion, and authorize us to say that had a public meeting been held they would by no means have authorized Mr. McArthur to have signed such address to Governor King as appears in the second paper.

JOHN BOWMAN.

WILLIAM CUMMINGS.

GEORGE CROSSLEY.

MATTHEW GIBBONS.

THOMAS MATCHAM PITT.

WRECK OF THE BRITANNIA.

*Depositions of Officers.**

3 Oct.

3rd October, 1806.

The voyage of the Britannia.

"Breakers ahead!"

The vessel a wreck.

THAT on August twenty-fourth, one thousand eight hundred and six, at noon, that latitude by observation was $30^{\circ} 38'$ south, and the longitude, by lunar observation at 3 p.m., was $156^{\circ} 40'$ east, by dead reckoning $157^{\circ} 40'$ east.† To the best of my recollection the course steered by compass from noon was west until 8 p.m., at the rate of four knots an hour. We then steered N.W., going nearly at the same rate until 2 a.m., when we discovered breakers ahead, close to the ship. We immediately put down the helm, the wind being nearly aft at the time; but, unfortunately, the ship did not answer her helm quick enough to clear the said breakers. Our ship striking aft first, she fell round off, and was hove bodily on the said breakers, which proved to be a bed of coral rocks. After striking two or three times she broke her back, her stern and bow dropping down and midships hove up. The sea was then breaking violently upon the ship, so as rendered it impossible to have got

* The officers were: Nathaniel Goodspeed, master; William Dyer, second mate; and John Douglas and John Curtis, boat-steerers, all of the Britannia.

† This situation answers closely to that of Seringapatam Shoal. Findlay, in his *Directory of the South Pacific Ocean*, says that Elizabeth Reef, Seringapatam Reef, or Eliza Reef (as it has been variously styled) was discovered by the ships Claudine and Marquis of Hastings in 1820. It is situated 350 miles from the Australian coast, and has proved fatal to many vessels. The situation is $29^{\circ} 55'$ south latitude and $159^{\circ} 6'$ east longitude. Findlay probably had no knowledge of the wreck of the Britannia.

off, or even were it possible to have got her off, she would
 be immediately sunk on account of the aforesaid disaster. We
 were then under the necessity of having recourse to our boats to
 save our lives. The first boat we attempted to lower into the
 water was unfortunately stove by a surge of the sea, and the
 lives of the crew was with difficulty saved. We then had recourse
 to the others, and at two and a half a.m. we were fortunate enough
 to get safe from the ship, clear of the breakers, with two boats,
 nineteen men being on board of them, myself included. There
 then remained on board the wreck five men, who could not get on
 board the boats time enough before we were obliged to push from
 the ship on account of the breakers; nor could we venture to
 approach the ship again until daylight. The people on board
 lowered a rope from the jibboom and into the water. We then
 ventured under the boom with one of our boats, when the second
 mate and one of the seamen were hauled on board, and with their
 assistance the people on board were enabled to launch another
 boat into the water and get safe thro' the breakers with about
 forty pounds of biscuit and ten gallons of water. The timbers of
 the ship at that time were sticking thro' her sides.

1806

3 Oct.

Lowering
the boats.

Escaping
from the
wreck.

At low water saw a quarter of a mile of dry sand, but at high
 water there was no part dry. The shoal lay N.E. and S.W.
 seven or eight miles, and about five or six in breadth.

The shoal
bare at low
water.

We left the ship with three boats, but four days after one of
 them, in a gale of wind, separated from us, and has not been since
 heard of. We were then steering for New South Wales. On
 the 29th of August we made the land, and on the 8th of Sep-
 tember made Newcastle, where we were treated with kindness,
 and on the thirteenth of September we happily arrived at Port
 Jackson.

Make the
coast of
Australia.

Sworn before me this 3rd day of October, 1806.

R. ATKINS, J.-A. and N.P.

REGULATIONS RESPECTING VESSELS—FOREIGN AND ENGLISH.

4th October, 1806.

4 Oct.

(1.) The master, on his arrival, to make his report to the Naval
 Officer and enter the ship, producing his muster-roll and agreement
 with his ship's company; also his clearance from the port he
 originally sailed from, and all other papers necessary to prove the
 legality of his cargo, together with his log-book and manifest of
 cargo, specifying the different articles for sale belonging to himself
 or any other person on board, and also for ship's use; then to
 give bond for £200 that neither himself or any other person send
 from the vessel any article for sale until permission be given; nor
 any spirits, wine, beer, or other strong drinks after such permission
 without a special permit signed by the Governor and countersigned

Vessels'
arrival to be
reported to
Naval
Officer.

- 1806
4 Oct.
- Regulations concerning passengers and crew.
- Ships bound for India or China.
- Responsibility of master.
- No credit to crew.
- Invoices to be produced.
- Spirits prohibited.
- Dependent settlements.
- by the Naval Officer; nor without the Governor's special permission sell or send from the vessel any arms or ammunition, on pain of forfeiture of the bond and charter party if in Government employ.
- (ii.) Before any communication is allowed, the master to give security, himself in £800 and two inhabitants in £50 each, not to carry off any person whatever without a certificate from the Governor; nor to depart and leave behind him any of his people without informing the Naval Officer and using every endeavour to apprehend them; nor to sail from hence without giving ten days' previous notice at the Secretary's Office and receiving a proper clearance.
- (iii.) Masters bound to India or China to give bond before they are cleared out, not to suffer any convict or convicts to embark in his vessel, nor persons of any other description, without the Governor of New South Wales' permission; and not to land any person, whether he have permission to quit the colony or not, in any part of the Company's territories, or in any part of Asia, without permission of the Governor-General or the Governor of the place the vessel may arrive at, the permission given by the Governor of New South Wales being only to grant free persons liberty to return to England; also, not to depart without a clearance, nor leave any of his people here, unless by permission of the Governor, without acquainting the Naval Officer and endeavouring to apprehend them.
- (iv.) Every master is to keep watch and guard on board, and be accountable for the conduct of his officers and crew in relation to the vessel's mercantile concerns, and the application of his bonds; also for any convict found secreted on board, according to the 16th Geo. II, c. 31, viz.:—"If any one assist any prisoner to escape from any constable or other person in whose custody he is by virtue of a warrant of committment for felony, it is declared to be the like offence,"* and any officer or man known to assist convicts in making their escape will be subject to the same.
- (v.) Masters are to cry down the credit of their ship's company on arrival.
- (vi.) The masters of all vessels with goods for sale, and all importers and consignees, to deliver to the Governor's Secretary a signed copy of the original invoice, and prime cost to be rendered on oath, if required, previous to admission to trade being given.
- (vii.) Spirits are prohibited to be landed without the Governor's permit, on penalty of seizure and fine of double the amount.
- (viii.) No communication is to be allowed by officers in command at any dependent settlement with vessels going from hence (except to relieve distress) unless the master produces a letter from the

* These words are quoted in the Regulations as if they were the *ipsissima verba* of the Act. They are, however, an abridgment, in the Governor's own words, of section 3 of the statute quoted.

rnor, and on no account is he to allow spirits taken from 1806
to be sold unless the master produce the Governor's 4 Oct.
ission and certificate of price.

i.) If any convict be found secreted, the master to answer for Escapees
ame according to 16 Geo. II, c. 31, unless he make it appear
his officers or men were guilty thereof without his privity, in
h case such officers or men will be subject thereto as stated in
(iv).

ii.) Any person enticing seamen from the vessel they belong Ships crews
ill forfeit £15—half to the King and half to informer.

iii.) No person is to trust or retain in their houses or vessels Housing
seamen or officer inferior to the captain, on pain of losing the deserters.
tand being proceeded against. Persons entertaining such officers
nen, knowing them to be deserters, to forfeit £5 for every day
ight; and not knowing them to be deserters, but belonging to
ip, to forfeit 10s. for each day or night they have so entertained
m.

xii.) Seamen deserting being found after the ship's departure to Punishment
ive 31 lashes, and be put to Government labour until they can for
themselves, or be returned to the vessel they deserted from. desertion.

xiii.) Masters are not to transfer any of their officers or seamen
nother vessel without the Governor's permission.

xiv.) Persons harbouring or inveigling seamen or apprentices
n any vessel to be confined six months to hard labour, exclusive
enalties prescribed by law; but seamen (not apprentices) entering
His Majesty's service are not to be considered as deserters.

xv.) Seamen absconding or taken up after hours must be received Absconding
board again; they may be kept in gaol as a temporary punish- seamen.
nt if the master pleases, or worked in the gaol gang, but must be
talled from the ship, and the master held responsible for all fees.
constable and gaoler's established fee is 5s. per night for each

xvi.) Seamen under warrant of commitment also to be main-
ed from the ship, but the master not subject to the above fees.

xvii.) Masters to apply at the Secretary's office in writing for Shipping
ission to ship free men, stating what ship they came in, and sailors.
re tried (if they have been prisoners.)

xviii.) Masters are to give ten days' notice of departure.

xix.) British seamen being forbid entering on board foreign Foreign
els during the war, yet if the masters of such be in distress vessels.
hands, due attention will be paid by the Governor to their
resentations thereon.

xx.) If after the port clearance being given, circumstances Detention of
uire the vessel's further detention, the master is to consider a vessels.
bal message as sufficient, delivered by a naval or civil officer,
must not proceed to sea till further permission, on pain of not
ng suffered to enter this port again and being fired on to
orce obedience.

- 1806** (xx.) Disobedience of Port Orders (communicated by the Naval Officer), or of any others communicated to the officers or crew, will subject the vessel to be sent away at an hour's notice not to return.
- 4 Oct.**
- Mails.** (xxi.) Letters and parcels arriving by any ship are to be delivered to the Naval Officer who will give a receipt for the same. A penalty of £10 will be inflicted for each letter or parcel otherwise delivered.
- The port of discharge.** (xxii.) No Colonial or other vessel, English or foreign, coming laden, is to discharge her cargo in any other harbour than this of Port Jackson (unless ordered by Government or permitted by the Governor to discharge at any of the dependent settlements) unless the wants of any of those settlements require the Lieut.-Gov'r or Commandants to act contrary, of wh' the Governor is to be made acquainted; but, on a faithful entry being made at this port, if the master is desirous of proceeding to any of the settlements, a clearance will be granted for that purpose. A breach of this Order will subject the vessel to seizure and condemnation.
- The boarding officer.** (xxiii.) On a vessel's arrival no one but the pilot, or an officer authorised by the Governor, is to go on board until permission to trade is given.
- (xxiv.) No article of trade or package is to be landed but at the Hospital wharf, on penalty of seizure.
- Manifest to disclose whole cargo.** (xxv.) Any vessel found to contain any spirituous, vinous, or other liquors, or any article of merchandize not mentioned in the manifest, the same will be seized and the master fined equal to the amount of any spirits or other liquors so seized—half to the King and half to the informer.
- Seal fisheries.** (xxvi.) No foreign vessel is to be cleared out for any sealing voyage within the limits, or to return thither; but after their necessities are relieved they will be cleared for any other port of discharge.
- Departure of vessels.** (xxvii.) No vessel is to leave the Cove till ready to quit the Colony, and afterwards not to delay going out of the harbour, nor allow any boat without a Government officer to go on board on pain of the boat's seizure, with everything in it; and if the vessel anchors without necessity from wind or weather, she will not be allowed to sail without fresh permission on pain of being refused to enter the port again.
- King's ships.** (xxviii.) No ship whatever is to remove from the Cove without the Governor's permission. When His Majesty's vessels hoist their colours all merchant vessels are to do the same unless from sufficient cause prevented, of which notice is to be given to the officer commanding His Majesty's vessels; in case of refusal, all indulgences to cease, and to quit the port.
- (xxix.) Masters are to pay for permission to wood and water, according to the table of dues and fees.*

* See the table of dues and fees, vol. v, p. 570. The charge was 10s. for wooding and 10s. for watering each.

(xxx.) Masters are forbidden to embark any natives of the South Sea.* 1806

(xxxi.) Masters are forbidden bartering spirits with the South Sea Islanders under a penalty of £50 for each offence—half to former and half to Orphan Fund. 4 Oct.

(xxxii.) Masters and owners of vessels are to carry a lantern by night, and to make themselves known to the centinels when hailed. A night light.

(xxxiii.) Persons dying on board are to be buried on shore; and no rubbish is to [be] thrown overboard below high-water mark under a penalty of £5 for each offence—two-thirds to informer and one-third to Orphan Fund.

(xxxiv.) No strong drink is to be given to the natives; and if any be killed, or violence offered to their women, the offenders will be tried for their lives. The natives.

(xxxv.) No vessel is to be built in the colony without His Excellency's permission; and no register will be given until the necessary bond is executed before the vessel is launched.

GOVERNMENT AND GENERAL ORDER.

4th October, 1806.

No vessel is to be built in the colony without His Excellency's permission, and no register will be given until the necessary bond is executed on which it depends before the vessel is launched. Ship-building.

All masters of vessels coming into this port are strictly forbidden leaving any of their crews, officers, or passengers on shore when they depart, and until that is certified no clearance is to be granted. And all such respective individuals are likewise forbidden, on any pretence whatever, remaining in the colony without authority from His Excellency the Governor. Shipping rules.

GENERAL STATEMENT of the Inhabitants in His Majesty's Settlement, Hobart Town, River Derwent.

Van Dieman's Land, 16th October, 1806.

16 Oct.

Civil Establishment victualled.—1 Lieut. Governor and Lieut.-Colonel R. Marines, 1 Chaplain, 1 Judge-Advocate, 1 Principal Surgeon, 2 Assistant Surgeons, 1 Deputy Commissary, 1 deputy surveyor (and mineralogist, absent), 6 storekeepers and superintendents, 3 overseers (free men), 5 women, 5 children above 10 years old, 2 children under 10 years old, 4 children under 5 years old. Population of Hobart Town.

Military Establishment victualled.—1 captain (and acting q'r-master), 3 lieutenants, 6 non-commissioned officers, 2 drummers, 37 rank and file, 1 do. (absent, prisoner at Sydney), 8 women, 1 child under 10 years old, 5 children under 5 years old.

* See the Government and General Order of 5th April, 1807, post, p. 263.

1806
16 Oct. *Settlers and free people victualled.*—18 men, 11 women, 10 children above 10 years old, 5 children under 10 years old, 5 children under 5 years old.
Settlers and free people not victualled.—2 men, 2 women.
Emancipated prisoners victualled.—3 men.
Emancipated prisoners not victualled.—3 men.
Prisoners victualled.—255 men, 33 women.
Prisoners' wives and children victualled.—13 women 1 child at full, 2 children above 10 years old, 3 children under 10 years old, 15 children under 5 years old.
Total.—344 full, 87 two-thirds, 11 one-half, 29 one-quarter.
Casualties.—Discharged, 2; absent without leave, 7.
Total number victualled.—471; total number, 478.

DAVID COLLINS, L't-Gov'r.

LEONARD FOSBROOK, D'y Commissary.

GOVERNMENT AND GENERAL ORDER.

1 Nov.

1st November, 1806.

H.M.S.
Buffalo.

HIS MAJESTY'S ship Buffalo is intended to sail for England on the 21st instant.*

The term
currency.

Whereas the term currency made use of in this colony seems not to have carried its proper signification in the small notes generally circulated, it is hereby declared that its meaning is only applicable to money, and not barter in goods; so that if any note is made payable in copper coin or the currency of this colony, it is to be inferred that money only is the means by which it is to be liquidated.

Promissory
notes.

And whereas the good faith of individuals is not to be perverted, it is hereby declared, that on or about the first day of January, 1807, all checks and promissory notes issued shall by public proclamation be drawn payable in sterling money; and that after the said proclamation is publicly declared, all outstanding notes payable in copper coin or Colonial currency shall or may be sued for as if the said term "copper coin or Colonial currency" had not been expressed. The value of coins already established to be in full force.

GOVERNMENT AND GENERAL ORDER.

2 Nov.

2nd November, 1806.

Precautions
to be taken
against fire.

THE Governor deems it necessary to recommend to cultivators to take great care of their stacks and property against the fires that are now in the country, and to require an exact obedience of the Order of the 15th of October, 1801.

Burning
stubble.

"No person whatever is to set fire to any stubble without giving his neighbours sufficient notice, and not then until every person is prepared by having their wheat stacked and secured."

* In consequence of repeated delays, the Buffalo did not leave until 10th February following.

ould any person neglect this necessary regulation, and any
erty be destroyed thereby, they will, on conviction, be obliged
ake good all losses sustained by such neglect. 1806
2 Nov.

persons whatever are to smoke pipes or light fires near any
at stacks, public or private.

VERNOR BLIGH TO THE RIGHT HON. WILLIAM WINDHAM.

[Extracts].

Government House, Sydney,

ir, New South Wales, 5th November, 1806. 5 Nov.

By ships which sailed on the 26th August and 7th Septem-
* I had the honor to inform you of my arrival and taking the
mand of this colony. Since that time I have been arduously
loyed in visiting the different parts of it, and endeavouring to
ess myself of a general knowledge both of its state and the
mediate things to be done for its advantage, concerning which
constant attention for some time longer will be required to
ure the plans which may be adopted. Bligh visit-
ing country
districts.

* * * * *

he distresses occasioned by the inundation of the Hawkesbury
er has required great attention to relieve the wants of the
fortunate settlers in that part of the country, and the losses they
ained powerfully effecting the other parts of the colony, very
nsive aid in provisions has been necessary to be given the poor
rally. Results of
flood.

the midst of those difficulties, great exertions have been
ssary to the preservation of the ensuing harvest of wheat and
ey, and planting maize corn to secure seed, for which I have
oted every means, and have every hope that we shall do well,
ough the ensuing crops will not be very abundant; but here
ust express my confidence that the calamity will make the
er of corn more cautious, and set a juster value on the pro-
of his land. Scarcity of
grain.

he harvest will soon begin. Some barley will be cut in the
se of a week if the weather turns fine, but at present it is
asonable. The gardens are now giving supplies of potatoes,
as I demanded personally the exertions of every one to this
are, I have the satisfaction to know we have so succeeded that
he course of a month I shall be able to reduce our expences
ictualling from the public stores, and the settlers in general
inced they must depend more on themselves than they have
hitherto. Potatoes.

overnment Farm, at Castle Hill, has at present one hundred
fifty acres of wheat; but it has been so much worn out the
Government
farm at
Castle Hill.

* See Bligh's letter to Windham of 26th August, ante, p. 175.

1806

5 Nov.

returns will be but small. In maize we shall be productive, and particularly in the latter crops, the worm having done some injury in the beginning of the season.

When the wheat comes in, we shall be prepared to receive it securely, to which end such artificers as we have here have been employed repairing the granaries and finishing a new wind-mill.

Buildings in
want of
repair.

The public stores and Government houses require great repairs, and building the church here, and what will be required at Parramatta, will considerably add to the expences of the first year or two of my government; nevertheless, the aggregate will, I trust, be found moderate.

Morals of
the
inhabitants.

In the customs and manners of the people here a great deal is to be corrected.* The settlers in general, and particularly those from prisoners, are not honest, have no prudence, and little industry, besides being burthened with debts. Great chicanery is used in all their dealings, and much litigation. All this will require a vast deal of attention on my part to remove, to which end the rising generation shall be watched over and educated, while the pernicious customs of the place shall be checked by every means in my power.

The old and
infirm.

To the general expences which the colony bears will be observed as soon as I can have time to ascertain them the very great proportion of old and infirm persons who do no work for Government; and I take the liberty to make this observation on account of the selections of prisoners which appear to have been sent out from England.

* * * * *

Governor
King.

Governor King, who has suffered much ill-health and has but little intermission from the gout, expects to sail the latter end of this month, by whom I shall have the honor of again writing to you.

This conveyance will take the *Gazettes* from the 31st August last to the 2nd instant; the others of prior date were sent with my former despatches.

I have, &c.,

W^m BLIGH.

EX-GOVERNOR KING TO SECRETARY MARSDEN. (King Papers.)
H.M.S. Buffalo, Port Jackson,

8 Nov.

Sir,

8th November, 1806.

Delay in
sailing.

As settling the Colonial accounts and arranging many public objects to facilitate my successor's gaining a competent knowledge of the trust he has undertaken, and the necessity of waiting until some supplies of bread can be got from the commencing harvest, I shall not be able to leave this place before the latter end of the month.

* See Marsden to Cooke, 21st November, 1807, post, p. 380.

Lieutenant Houstoun, who has acted by my orders as second commander of the Buffalo since Captain Kent was lent to the Investigator, has been very active in the command of the ship on different voyages she has gone to Norfolk Island and the new elements, and is a very sober and assiduous good officer.

1806

8 Nov.

Lieutenant
Houston.

Mr. John Oxley has acted as lieutenant of the Buffalo since March, 1805, on Lieut. B. Kent being lent to the Investigator. He is a very active, sober, and attentive young man. As no opportunity offered of his passing his examination for a lieutenant till the arrival of Capt. Bligh, I have requested that officer to

John Oxley.

Mr. Oxley another acting order after the date of his passing. Mr. William Kent* also passed at the same time, and he has acted as a lieutenant of the Buffalo by my order since August, 1805, on Acting-Lieutenant Robbins being lent to go to Valdivia, as stated in a former letter. That officer† not being

William
Kent.Charles
Robbins.

The reader is liable to confuse the various members of the Kent family who served in the waters. Captain William Kent, commander of H.M.S. Buffalo, mentioned in the above letter as lent to the Investigator, was a nephew of Governor Hunter (his father had married the Governor's eldest sister). His services in the Navy were as follows: 27th October, 1781, entered lieutenant; 15th February, 1795, sailed in command of Supply for New South Wales, in company with his uncle, Captain Hunter, in the Reliance; 1795 to 1800 engaged in colonial service in New South Wales and dependencies; 1800 to 1802, voyage to England and back in the Buffalo; October, 1802, appointed commander; April, 1803, sent to Calcutta for the East Indies for cattle, discovering on his way (19th May, 1803) the harbour of Port Vincent, New Caledonia; 1805, sent Home in charge of the Investigator; 22nd January, 1808, advanced to post rank; November, 1808, appointed to the Agincourt, and from her sent to the Union, of 98 guns, in command of which he died off Toulon, 29th August 1809.

It was William Kent who, in conjunction with Lieutenant Waterhouse, brought the Spanish sheep to this country.

Lieutenant Bartholomew Kent, also mentioned as lent to the Investigator, was the eldest son of Captain William Kent's brother—John Kent, steward of the Royal Naval Hospital, at Greenwich. His services were as follows: He commenced his naval career at the age of 14, serving on various vessels in the Channel Fleet, until 1801, when he joined his uncle, Captain William Kent, as lieutenant on H.M.S. Buffalo; 1802–1805, on service in the Channel at New South Wales; June, 1805, appointed first lieutenant of the Investigator, then sent in charge of his uncle, Captain William Kent, to England; January, 1806, appointed lieutenant on the Thames, frigate, in active service at the blockade of Boulogne; March, 1807, first lieutenant of the Hussar, and present at the bombardment of Copenhagen. His subsequent service was mostly in American and Indian waters. In October, 1815, the ship Weser, of which he was commander, was paid off, and we do not find any record of his active service. In 1823 he married his cousin, Penelope Percival, only surviving daughter of his uncle, Commander Henry Kent. In the *Sydney Gazette*, of 10th March, 1806, a full account of the death of a Lieutenant B. Kemp, in an action off the French coast, was given. The chronicler, misled by the identity of name, concluded that it was the same officer who had served on the Buffalo, and dilated at length upon his virtues and heroism. He had the singular experience of reading his own obituary notice. The officer who was killed was his cousin, first lieutenant of the Goliath.

Lieutenant William George Carlile Kent, referred to in the above letter as Mr. William Kent, was a younger brother of Bartholomew Kent, and therefore a nephew of Captain William Kent. His services were as follows: 1798 to January, 1802, midshipman on various vessels, mostly in the Mediterranean and Channel fleets; January, 1802, joined the Buffalo, commanded by Captain Kent, and sailed for New South Wales; August, 1805, appointed by King acting-lieutenant of the Buffalo, his commission not signed by Admiralty until 17th May, 1809; January, 1807, appointed by Admiralty acting first lieutenant of the Porpoise, and later, commander of the Lady Nelson; in 1808, when commander of the Porpoise, he was placed under arrest by Bligh, in connection with the deposition of the latter; January, 1811, tried by Court-Martial and honorably acquitted on all Bligh's charges—(see *Marshall's Naval Biography*, vol. iv, part 1, p. 162); in 1814, acted on various services as lieutenant and commander. An accident, by which his right eye was permanently injured, occurred to him when commander of Sparrowhawk, in June, 1814, and terminated his active services—so far at least as existing records disclose.

An erroneous impression exists in some quarters that Kent-street in Sydney was named after the family; it was named in honor of the Duke of Kent.

Lieutenant Charles Robbins was never afterwards heard of. His fate resembles that of the unfortunate

It is conjectured that he was either massacred by savages, imprisoned by the natives, or that the vessel foundered in mid-ocean.

1806
8 Nov. returned, it is my intention to keep him open in the books until the probability of his joining the Buffalo in those seas is over, when I shall give Mr. Kent another acting order consequent on his passing his accounts as lieutenant of the Buffalo.

James
Symons.

Mr. James Symons having served as acting-lieutenant of the Lady Nelson, and having conducted himself in the command of that vessel much to my satisfaction, on his passing his examination I have requested Captain Bligh to give him an acting order.

* * * * *

I have, &c.,

PHILIP GIDLEY KING.

DR. JENNER TO THE RIGHT HON. W. WINDHAM.

14 Nov.

Sir,

Cheltenham, 14th November, 1806.

I trust that you will pardon the great liberty I take in thus addressing you.

Assistant-
Surgeon
Savage.

The gentleman who will present this letter to you is Mr. Savage, who has served his country in the capacity of surgeon both in the Army and Navy; but being now without an appointment, I beg leave to solicit for him the post of surgeon to any regiment in which there may be at present a vacancy; it would of course be more agreeable if that regiment were not going to the West Indies.

Introduced
vaccination
into colony.

My presuming to ask this favor of you, sir, arises from motives of gratitude towards Mr. Savage, for his zeal in introducing and establishing vaccine inoculation in some of the British settlements abroad, particularly in New South Wales. His name has often been mentioned with great respect in my correspondence with the medical gentlemen in India, and equally so among my friends at Home. Should these considerations obtain for him your sanction, I shall deem myself particularly fortunate in having made this application; and have the honor to subscribe myself with great deference, sir,

EDWARD JENNER.

[Enclosure.]

THE MEMORIAL OF MR. JOHN SAVAGE, ASSISTANT-SURGEON TO
THE TERRITORY OF NEW SOUTH WALES.

History of
Savage's
movements.

STATES that on the 1st day of July, 1802, he was appointed by His Majesty's Commission Assistant-Surgeon to the territory of New South Wales.

That on the 8th of August following he embarked for that colony, where he arrived on the 11th of March, 1803.

That he performed the duties of his profession from the date of his arrival until the 18th June, 1805, during the greater part of which time he had charge of the hospital and district of Parramatta.

A volunteer.

That he commanded the Loyal Volunteer Association of that district by commission of the Governor.

That he was in the Commission of the Peace and performed the duties attached thereto—duties attended with much fatigue, and the expense of keeping a horse. 1806
14 Nov.
A J.P.

That he was a member of the Civil Court.

That he introduced the cow-pock into the colony.

That he inoculated and furnished matter for the inoculation of nearly one thousand children. Vaccination.

That in consequence of his succeeding in the introduction of the cow-pock, and the failure of the acting Principal Surgeon and others to introduce it, they became his inveterate enemies, and at length succeeded in materially injuring his circumstances.

That in June, 1805, he was brought to trial by a General Court-Martial at the instance of Mr. Thomas Jamison, acting Principal Surgeon, upon a groundless charge of neglect of duty in not attending a case of midwifery.* Charged with neglect of duty.

That midwifery was no part of his duty.

That had it been so, he did not neglect it, as appears by the proceedings of his trial.

That the Governor could not carry the sentence passed upon him into execution. He was therefore suspended from all public duties until His Majesty's pleasure should be received thereon. Suspended.

That His Majesty's decision could not be expected to arrive in that colony for two years.

That not being a man of independent fortune, he judged it improper to remain in a state of idleness and uncertainty for so long a period, and in so remote a part of the world.

That he solicited and obtained leave of absence to proceed to England in order to acquire the earliest information respecting His Majesty's decision. Returns to England.

That he came to England charged with dispatches for Government.

That His Majesty disapproved of the sentence (which was that he should be cashiered) and restored him to all the functions of his commission. Restored to his situation.

That he obtained a copy of the proceedings of his trial from the Judge-Advocate General's Office, upon the face of which perjury is manifest, and in which there is no evidence whatever upon which to have convicted him—on the contrary, such only as ought to have acquitted him most honourably.

That during his passage of seven months to the colony, and from the date of his suspension, he has been allowed only half-pay by the Colonial Agent. Half-pay only on voyage.

That he was absent from England nearly four years; that he resided two years and a half in New South Wales; that his exertions for the good of His Majesty's service and the general benefit of the colony were unremitting; and that his conduct was such as to give entire satisfaction to the Governor and every person of respectability in the settlement. Absent four years.

* See Surgeon Jamison's report of the case, vol. v, p. 667.

1806

14 Nov.

Salary
barely
covers
expenses.

That upon settling his accounts he finds, after deducting for half-pay, property tax, and commission are made, that the whole receipts for his various services do not more than cover the expences of his passage out and return to England.

That, therefore, his private circumstances have been materially injured.*

GOVERNMENT AND GENERAL ORDER.

15 Nov.

15th November, 1806.

Wheat
tenders.

ALL persons who are disposed to supply Government with wheat in the ensuing harvest are to give in their tenders, sealed up, with their lowest prices, on or before the 30th of this month. And it is hereby declared that such persons as will be bound to deliver in as low as five bushels may present a tender to such an amount, —the object of this advertisement being to distribute the benefits of this contract to every grower of wheat in the colony.

Government
debtors.

Every person indebted to Government is directed to discharge their respective debts without delay. And in order that this injunction may not be obviated, persons duly authorized will be ordered to visit every person so indebted to the Crown to estimate the produce of the different estates.

D'ARCY WENTWORTH TO CAPTAIN PIPER. (Norton Papers.)

29 Nov.

Dear Sir,

Parramatta, 29th November, 1806.

From some information what I received yesterday, I think it but too likely that there will be a change at Norfolk, and that soon. I would therefore advise you to be prepared. Robinson† is a close prisoner on board the Buffalo, and I have no doubt but King will do you all the harm he can for permitting him to return here. It is still uncertain when the Buffalo will sail. Some attempts have been made to accommodate Mr. Houstoun's difficulties, but I am sorry to say they have not been attended with success. Lord, to whom he owes about two thousand three hundred pounds, has behaved in the handsomest manner, having offered to take security for the payment of one thousand here and his own personal security for the remainder hereafter. Mr. Marsden offered £200, but neither King nor McArthur would give a single guinea. Colonel Patterson will sail in a few days for Port Dalrymple. Capt. Kemp is to return, and report says to be your successor at Norfolk Island; therefore make good use of your time amongst the young girls. Don't forget my old friend, Mary G.; and that nothing may fail you is the sincere wish of

Yours, &c.,

D. WENTWORTH.

* See the decision of the Judge-Advocate in Savage's case, 24th April, 1806, ante, p. 70. Writing to Bligh on 31st December, 1807, Castlereagh stated that Mr. Savage would not return to New South Wales, as he had engaged with the East India Company. A copy of this memorial was submitted by Savage to Viscount Castlereagh on 15th June, 1807.

† Michael Massey Robinson, attorney; the first Australian poet.

PROCLAMATION

1806

Excellency William Bligh, Esquire, Captain-General and Governor-in-Chief in and over His Majesty's territory of South Wales, and its dependencies, &c., &c., &c.

4 Dec.

4th December, 1806.

As in the time of hay or corn harvest, the Justices have (by Act of 15th Eliz., chap. 4*) to cause all persons labour to serve in getting in the harvest ; and that none persons shall refuse to do so, on pain to suffer imprisonment, to be set in the stocks for the space of two days and ; and for a second or continued refusal to be sentenced labour for three months.

Compulsory harvesting.

If any person shall, after this proclamation published, or indirectly, give any more or greater wages, or other pay, than shall be so appointed in this proclamation, he, they shall, on conviction before any Justice, be imprisoned for the space of ten days without bail or mainprize, and shall forfeit the sum of five pounds, half to the King, and half to the person who shall sue for the same.

The standard rate of pay.

Governor, therefore, with the Justices, having taken into consideration the evil tendency of the workmen now demanding, settlers paying, much larger sums for labour than they law, or by law is allowed, do make this proclamation, that the rate of labour shall be, during the months of November and December, as to reaping, and at all times for threshing, &c., as follows:—The labourer to find his own meat and drink, or the master to charge two shillings and sixpence per day for the same.

Reasons for fixing rates.

For reaping, ten shillings sterling per acre, or one bushel of wheat, at the option of the labourer.

Rates and hours.

For mowing in stacking and carrying of grain, and securing the same every day from 5 o'clock in the morning until 7 o'clock in the evening, allowing three hours each day for eating and rest, the master to charge five shillings sterling, or half a bushel of wheat, at the option of the labourer.

For making up stubble ground, 15s. sterling per acre.

For sowing and planting corn 8s. per ditto.

For threshing corn, 7s. 6d. per ditto.

For winnowing and husking corn, 6d. per bushel.

And do, by this public proclamation, declare, that if any person shall, after the date hereof, on any pretence whatever, demand or take more, or refuse to work at and for the prices herein set forth, and being thereof convicted on oath of one or more Justices, shall for the first offence be set in the stocks for the space of two days and one month, and for a second offence be sentenced to hard labour for six months.

Penalty for demanding or taking higher wage.

* This Act was repealed by 33 and 39 Vic., c. 86.

1806

4 Dec.

Penalty for
paying
higher
wages.

And if any person or persons shall on any pretence pay for labour to any other person or persons at or for a greater rate or price than above specified, such offender being thereof convicted as aforesaid, shall be imprisoned without bail or mainprize for the space of ten days ; and also pay a fine of five pounds sterling, and be kept in prison until the said sum be paid, pursuant to the statute.

GOVERNMENT AND GENERAL ORDER.

4th December, 1806.

Distribution
of Govern-
ment
labourers.

HIS Excellency having adopted means of furnishing the settlers, as far as circumstances will allow, with threshers, reapers, and labourers to facilitate securing the grain, persons owing Government debts, and others intending to put grain into His Majesty's stores, making application will receive such a proportion of those descriptions of labourers as can be spared, under the regulations of the labourers receiving their rations of salt meat from the stores at four pounds of pork each man per week, for which the employer is to pay the Commissary in grain ; and as the settler will furnish the labourer a full ration of grain, the complete Government tasks are to be performed.

The employers diverting the labour of those they are thus accommodated with to any other purpose than securing their grain, and appropriating it as above, will be liable to the penalties of the existing General Order on that head.

Applications, personally or by note, are to be made to the resident magistrate at the Hawkesbury or Parramatta.

GOVERNMENT AND GENERAL ORDER.

6 Dec.

6th December, 1806.

Crown
debtors.

THE Commissary having represented that a considerable debt remains due to the Crown for articles supplied to officers, settlers, and other individuals from the articles sent out by Government for barter, which are engaged to be liquidated with wheat turned into His Majesty's stores in this and the ensuing quarter ; and as the articles so named, received by the late arrivals from England, will be ready to be disposed of, the Commissary is directed to receive applications as usual on Mondays ; but it is to be clearly understood that no persons are to expect that indulgence until their respective debts are discharged, and those applying who owe no debts to the Crown are not to be so accommodated until wheat is lodged in the stores in payment thereof.

The Commissary is directed to publish a list of the articles alluded to in the next week's *Gazette*.

Ration of
wheat and
potatoes.

From the necessity of husbanding the grain for the ensuing year, as well as to fix a liberal ration for those employed by private

cultivators throughout these colonies, it is hereby ordered that seven pounds of wheat and fifteen pounds of potatoes are to be issued by the individuals, if they find it convenient, as a full ration for the weekly allowance of bread to any one man whom they may have occasion to employ.

1806
6 Dec.

CAPTAIN FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)
[Extracts.]

Wilhelms Plains, in the Isle of France,

8th December, 1806.

8 Dec.

* * * * *

In the *Asiatic Mirror*, I see that Captain Bligh has arrived at the Cape of Good Hope, and was to depart in June for his Government of New South Wales. Governor King will consequently be in England by or before the arrival of this letter; and as he is intimately acquainted with the conduct I pursued in forwarding the objects of my voyage, to the time I embarked in the Cumberland, and has the honour of being ranked amongst your friends, I look to his arrival for the clearing up of any doubts in your mind with much interest. In contemplating the future prosecution of my voyage, the prepossession of his predecessor against me is a subject of much regret. I should indeed desire not to be placed under his immediate orders, since the credit, if any [which], should be due to my labours, would be in danger of being monopolised.* I beg, however, to assure you, Sir Joseph, that wherever and whenever the advancement of science is concerned, a zealous co-operation on my part, either for the time or altogether, shall not be wanting.

Captain
Bligh.

Bligh and
Flinders.

In Steele's List, which I procure as often as possible, I search continually in the hope of finding the Admiralty to have been so well satisfied with my exertions, and penetrated with the injustice I have been made to undergo, as to have given me that step which is the great object to young naval officers. I need not say that disappointment has hitherto been the result. A latent hope, however, that when our gracious Monarch, who has done so much for nautical science, shall be informed of the circumstances, he may possibly be pleased to order my name to be inserted in the list of post-captains from the commencement of my captivity, has made me feel the disappointment less heavily. From the late change in administration, and the consequent opening of an intercourse between the British and French Government, I am also

Flinders's
hopes of pro-
motion in
the Navy.

*The meaning of this passage is not very clear, except on the presumption that Flinders alludes to Governor Bligh, and used the word "predecessor" instead of "successor." Flinders had sailed under Bligh in the Providence in 1791. Professor J. K. Laughton, in an article in the *Dictionary of National Biography*, remarked that Flinders was entrusted by Bligh with a greater share of the navigation and chart drawing than was due to his few months' service at sea. Bligh and Flinders were evidently not on very friendly terms with one another.

1806
8 Dec. induced to prolong my hopes, not only upon this head, but for an honorable termination to my imprisonment. The tyranny exercised upon that worthy man and excellent officer, the late Captain Wright,* I see has excited much interest in England, and animadversion from our Government; but of my even still more unprecedented case, the correspondence of the then Secretary of State is silent, for which, considering the nature of the representation to Mons. Talleyrand, I am unable to account.

A new Investigator.

The list for Dec., 1805, informs me that a new Investigator was then lying at Plymouth; and no captain or service being assigned to her, this has raised my conjectures. I was tempted to hope that she was to be sent out here to me, under the command of one of my officers, for the completion of our voyage; but twelve months having since elapsed, and everything at least with me remaining in the same state, this hope is nearly dissipated.

The principal reason why Flinders was not liberated.

Since my last letter, of July 28† by Mr. Larkins, my situation remains the same; and if the increased lapse of time has diminished my hopes of procuring attention from the French Government, the departure of my friend Captain Bergeret for Paris, and his promise to exert himself to this end, have kept them from vanishing altogether. General De Caen has also given him a similar commission, being as I am credibly informed “*revenu sur mon compte.*” The same authority adds, “*le principale obstacle à la cessation de votre captivité vient de ce que vous n’avez jamais été officiellement réclamée par votre gouvernement auprès du gouvernement Français.*” How far this is actually the case is unknown to me, but that such is the opinion of the General I cannot doubt.

The fear of importuning you too much with my misfortunes prevents me from making this letter any longer. I will, therefore, conclude with expressing the sentiments of respect and gratitude with which I have the honor to be, Sir Joseph,

Yours, &c.,

MATTHEW FLINDERS.

GOVERNOR BLIGH TO SECRETARY MARSDEN.

Sydney, New South Wales,

12 Dec.

Sir,

12th December, 1806.

Inquiry into disputes between Short and his officers.

I beg leave to inclose to you, for the information of my Lords Commissioners of the Admiralty, the proceedings of a Court of Enquiry on the conduct of Joseph Short, Esquire, Commander of His Majesty's ship Porpoise, and Lieutenant Tetley and Mr. Daniel Lye, master, which I was under the necessity of ordering on account of the respective charges in the letters of representation

* For particulars in regard to the imprisonment and death of Capt. Wright, see the *Annual Register*, vols. xlv, p. 380; xlvii, pp. 6, 118, 427; xlix, p. 929; and liii, p. 77.

† Ante, p. 116.

company the minutes and verbal information I had
of Captain Short's severity. Annexed to these docu-
mentary order for a survey on Mr. Lye's state of confinement,
and of the surgeons thereon, my order to liberate Mr. Lye
in consequence thereof, and Captain Short's letter to obviate my
I have, &c.,

1806
12 Dec.

W^M BLIGH.

[Enclosure No. 1.]

LIEUTENANT TETLEY TO GOVERNOR BLIGH.

His Majesty's Ship Porpoise,

Sydney Cove, Port Jackson,

New South Wales, 15th November, 1806.

I am sorry to be under the necessity of writing you on so
important an affair as that of making some serious complaints
against Joseph Short, Esquire, Second Captain of His Majesty's
ship under your command, for having at different times appro-
priated the ship's stores to his own private use; that he has lent
the ship to private persons on shore, whereby the ser-
vice materially suffered; the Articles of War were never but
since the ship was commissioned, nor any officer's com-
mission ever read; the boats' crews have been kept up at dif-
ferent times most of the night, either waiting for Captain Short
or his friends on shore, and I have every reason to suppose
that on every opportunity offered, they would desert in consequence;
that by the Order of the 4th September respecting provisions he has
received more than his allowance; that he has at different times be-
haved in a cruel and oppressive manner, and made use of
unofficer-like language to me on the quarter-deck when
in the execution of my duty, and endeavoured to depreciate
the opinion of the officers and ship's company; and I beg
to say that, in consequence of the ill-usage I have received
from Captain Short, my piece of mind is broke and my health
ruined; that I have sufficient witnesses (as per margin*) to
attest the truth of my assertions; and I hope you will, sir,
do what is most conducive to the good of the service.

Lieutenant
Tetley's
charges
against
Captain
Short.

Cruelty and
oppression.

I have, &c.,

J. S. TETLEY.

[Enclosure No. 2.]

DANIEL LYE TO GOVERNOR BLIGH.

His Majesty's Ship Porpoise,

Sydney Cove, 22nd November, 1806.

Having a few days since waited on you with a complaint
against Captain Short, which you requested I would let you know
that Captain Short having behaved in an unofficer-like and
indecorous manner to me and other officers in the ship, which has

The master's
complaint
against
Captain
Short.

My witnesses are, ye, Baxter, Calver, Hobbs, Bannister, Hardinge, Jno. Seymour, Corp'l Stephens,
and Wm. Harvey.

1806
12 Dec. caused me to be very unhappy and uncomfortable for some time past, I therefore conceive it my duty to point out to you the un-officer-like conduct of Capt'n Short, for which I have sufficient witnesses, named per margin,* to substantiate the charges which I shall bring against him. On the ship's arrival in False Bay, being late in the afternoon, it falling nearly calm, we were obliged to come to anchor about three miles from Simon's Bay. At 7 o'clock in the evening the harbour-master came on board. When Capt'n Short came on deck to receive him he was so much intoxicated that it was with great difficulty he could stand, the ship all this time being at an unsafe place at anchor had it come on to blow from the N.E., but the light airs of wind prevented us getting to any other anchorage that night, and on the 13th of June Capt'n Short came off to the ship so much intoxicated that without assistance he could not get up the ship's side. I think it my duty also to point out that Capt'n Short has made a wasteful expence of His Majesty's stores in converting them to his own private use, having likewise wanted the gunner at the Cape of Good Hope to expend two of the ship's musquets, which the gunner refused to do. The Articles of War have never been read since the ship left England, which I think has been the means of so many punishments being inflicted in the ship, owing to the people being ignorant of the Articles they are liable to fall under. Since the ship has been in Port Jackson the boats' crews have been kept up almost every night from 11, 12, and sometimes till 2 o'clock in the morning, when the ship's company is always turned out to whip the chair up; and I am confident, if the ship was in any other port than this, the greatest part of the ship's company would have deserted. I hope, sir, you will take those charges into consideration, and take such steps as you think necessary for the good of His Majesty's service to bring Capt'n Short to justice, as it is impossible for the officers of the ship to live where such flagrant abuses exist.

Drunk when on duty.

Extravagant use and misappropriation of stores.

Boats' crews kept up late.

Probability of desertion.

I have, &c.,

DAN'L LYE

[Enclosure No. 3.]

DANIEL LYE TO GOVERNOR BLIGH.

Sir,

H.M. Ship Porpoise, 9th December, 1806.†

The master under close arrest.

I beg leave to acquaint you that I have been close confined under an arrest since the 28th of November and not even allowed to come out of my cabin to my meat, for charges I am not yet acquainted with. I wrote to Capt. Short the 1st day of December, requesting to know the charges for which I was so closely

* Mr. Tetley, 1st Lieutenant; Frans. Calver, gunner; Wm. Hobbs, boatswain; Benja. Bannister, carpenter.

† Note by Governor Bligh.—“This letter is wrong dated, as Mr. Murphy delivered it with two order books into my hands from the ship, by Capt'n Short's orders, this morning, 10th Dec'r, 1806, and might have been sent to me if written on the 1st, having received letters subsequent to it from Capt'n Short.—W. B.”

confined, but he has thought proper not yet to acquaint me with
 him. I wrote to the surgeon the 2nd of December, finding myself
 well from the closeness of my confinement, stating also to him
 the small size of my cabin, from the heat of the climate, and the
 unpleasant smells which comes from the next cabin owing to a
 man and a family of children being there, which the officers of
 the gun-room can witness, requesting him if I was not released
 from such close confinement to enclose my letter to you, of which
 there has been no further notice taken of since, nor has he come
 near me since to enquire if I was well or not. I hope, sir, you
 will take my unpleasant state of confinement into consideration,
 and take such steps as you think proper, referring to my letter of
 the 22nd of November, to crush such oppressive treatment.

1806

12 Dec.

Appeals to
Bligh.

I have, &c.,

DAN'L LYE.

[Enclosure No. 4.]

CAPTAIN SHORT TO GOVERNOR BLIGH.

Sir, His Majesty's Ship Porpoise, 1st December, 1806.

I beg leave to acquaint you that on Friday, the 28th ultimo,
 I confined Mr. Lye, acting-master of this ship for disobedience of
 my orders. I have for a length of time had great reason of com-
 plaint against him, both for disobedience of my orders and treating
 me with contempt. I have also to charge him, with Lieut. Tetley,
 of talking in presence of the ship's company in language tending
 to make them discontented and to create mutiny. I beg to lodge
 a complaint against Lieut. Tetley for the above, together with other
 practices highly detrimental to His Majesty's service, and such as
 tended to create insubordination in His Majesty's ship he was first
 lieutenant of. I therefore submit it to your judgment the steps
 to be taken; but assure you that it is highly requisite for the disci-
 pline of the ship that an enquiry should be made. The reason I
 have not confined Lieut. Tetley is my having no other officer on
 board.*

Short
informs
Bligh of
arrest of the
master, and
lodges a
complaint
against him
and the
lieutenant.

I have enclosed the order books, which I hope will prove to you
 my attention to the discipline of this ship, as well as to your
 several orders.

I am, &c.,

JOSEPH SHORT.

[Enclosure No. 5.]

GOVERNOR BLIGH TO CAPTAIN SHORT.

Government House, Sydney,

Sir,

10th December, 1806.

On my return from my journey throughout the settlement
 I received this morning by the hands of Mr. Murphy, midshipman
 of the Porpoise, your letter dated the 1st instant. I apprehend

Bligh's
answer.

* *Marginal Note.*—"John Bowman, Adam Brown, Wm. Harvey, when working in between
 the Heads; Mr. Harding, Mr. Oldry, Mr. Basden, Mr. Pineo, to prove the speeches, also
 their disobedience of my orders, also Mr. Tetley being drunk in his watch, and Mr. Lye
 damning me—wishing the boat to sink alongside."

1836 the date is wrong, as he had just received it from you, and a letter
12 Dec. subsequent to it dated the 5th instant, which has been delivered to me by a messenger in the country.

Complaints
from Tetley
and Lye.

I have to inform you likewise that on my setting out on my journey, Lieutenant Tetley wrote me a letter complaining of you, and that Mr. Lye about the same time came with a complaint to the same effect, which I directed him to state in writing, but would not have any conversation with him on the subject, and since that he has written a second letter.

In consequence, therefore, of these circumstances and your request, I have directed Captain King, Captain Houstoun, and Lieutenant Oxley to proceed on board the Porpoise and enquire into the representations you have made, as likewise those of Lieutenant Tetley and Mr. Lye, with directions to report to me thereon.

I am, &c.,

W^M BLIGH.

The enquiry will take place at ten o'clock to-morrow morning.

W^M BLIGH.

[Enclosure No. 6.]

ENQUIRY INTO MESSRS. TETLEY AND LYE'S CHARGES AGAINST CAPTAIN SHORT.

12th December, 1806.

The purser's evidence. MR. BASDEN, purser of H.M. ship Porpoise, called in to give testimony on the charges alledged by Lieutenant Tetley against Captain Short, Commander of the Porpoise.

Misappropriation of stores. Q. 1, *by the Court*. Does it come within your personal knowledge that Captain Short has at different times appropriated the ship's stores to his own private use; if it does, relate the times and circumstances?—A. It does not come within my knowledge that Captain Short has ever taken stores out of the ship for his own private use.

Q. 2. Has Captain Short ever appropriated any provisions or stores under your charge to his own private use?—A. No more than he is entitled to.

Lending seamen. Q. 3. Does it come within your knowledge that he has lent men from the ship to private persons on shore whereby the service has materially suffered?—A. I remember Captain Short directing Lieutenant Tetley to lend one of the seamen to some person on shore for a few hours, but I do not imagine the service could suffer from it. I do not recollect the seaman's name, but believe the person he was lent to was Mr. Fitz. I do not know that the man [was] lent in consequence of that direction.

The Articles of War. Q. 4. How often has the Articles of War been read since the ship was commissioned, or since your appointment?—A. I have heard the Articles of War read by Captain Short to the ship's company, the hands being turned up for that purpose. Reading the Articles of War took place when the ship was in England, but cannot say whether it was more than once; does not remember their being read during the voyage nor since our arrival in this country, but that the Articles of War was read before punishment was inflicted relating to the crime.

The boats' crews. Q. 5. Have you reason to believe that from the boat's crews being kept up at different times most of the night, either waiting for Captain Short or taking his friends on shore, or any other oppressive act of Captain Short, that the boat's crew or any other of the ship's company would in consequence

thereof desert if an opportunity offered?—A. I have never known the boat's crews to be kept up past 12 o'clock except three or four times; neither do I, to the best of my knowledge, believe that any would desert, or that Captain Short has ever treated the ship's company with oppression.

1806

12 Dec.

Q. 6. Has Captain Short received more than his allowance of provisions since the Order, 4th September last?—A. Since that period Captain Short has not received more than his allowance of provisions. The mess book for October and November produced. It does not appear to us in the article of bread that he has exceeded his allowance, and by the same book he has drawn more than the allowance of beef; but Mr. Basden states that the overplus of beef is occasioned by more of that article coming on board than will keep in this warm climate. The surplus has generally been divided between the gun-room and the cabin. The mess book for September being destroyed, no reference can be had to that month; and he appears to have taken no spirits whatever in the months of October, November, and December. Mr. Basden also desires to state that upon balancing the account, Captain Short will be found not to have exceeded his allowance in any one species.

Captain
Short's
allowance
of provi-
sions.

Q. 7. Relate every instance wherein Captain Short has behaved in a cruel and oppressive manner to Lieutenant Tetley, using unofficer-like language to him on the quarter deck when in the execution of his duty, and endeavouring to depreciate him, Lieutenant Tetley, in the opinion of the officers and ship's company?—A. I never knew Captain Short behave to Lieutenant Tetley in an oppressive or cruel manner, and have never heard any unofficer-like language from Captain Short to him, and have never known Captain Short to depreciate Lieutenant Tetley in the opinion of either officers or ship's company, to the best of my knowledge.

Short's
treatment
of Tetley.

Mr. Daniel Lye, acting master of the Porpoise, called :—

Q. 1.*—A. I have heard of such things; but they do not come within my personal knowledge, except the circumstance of some green baize which he has seen the taylor using for different purposes in Captain Short's cabin.

The master's
evidence.

Q. 3 put.—A. At the Cape of Good Hope the armourer was lent to a Mr. Rozelle for about a fortnight, and that the arms suffered materially during his absence for want of being cleaned; and at this place, during the time the ship was refitting, James Allen was lent from the ship to Mr. Fitz and Mr. Luttrell to work in their gardens; I think he was away for 16 days.

Q. 4 put.—A. I recollect their being read once in England, not once on the voyage, and once since the ship's arrival here, the 8th of the present month, by Lieutenant Tetley, in consequence of Captain Short's direction to him.

Reading the
Articles of
War.

Q. 5 put.—A. I have known boats' crews to be kept up from 11 to 2 in the morning, and have overheard the people to murmur at being kept up, and from that circumstance think they would have deserted if they had been in a convenient port; and does not know of any oppressive act of Captain Short that would induce them to desert except the above, if it may be so termed.

The boats'
crews.

Q. 6 put.—A. I cannot positively say he has.

Q. 7 put.—A. I remember hearing Captain Short saying to Lieutenant Tetley that he knew he kept an almanac against him, Lieutenant Tetley denying it. Captain Short said he despised him and his mean actions; but cannot recollect the date, but think it was about a month or two ago; at the time, the ship's company was clearing the long boat.

Short's
treatment
of Tetley.

* The questions asked each witness were identical. They have not, therefore, been repeated.

1806

12 Dec.

The gun-
ner's evi-
dence.Improper
employ-
ment of
men.

Mr. Fra. Calver, gunner, called :—

Q. 1 put.—A. Not any of my stores, nor of any others to my knowledge.

Q. 2 answered by the above.

Q. 3 put.—A. I remember one man being lent—the armourer—at the Cape of Good Hope, and corroborates the evidence of Mr. Lye as to that circumstance, and further states that having occasion to clean the navel bolts, for want of the armourer to drive them out, was obliged to employ a soldier on that service, who broke the cheek of the carriage, which in his opinion has rendered the carronade unserviceable; and that he had pointed out to Captain Short the necessity of the armourer being employed on that service, who said that any other person would do as well. With respect to James Allen being lent, corroborates Mr. Lye, but cannot recollect the time or to whom he was lent.

Q. 4 put.—A. I cannot recollect any other time than last Sunday, the 8th instant.

The boats'
crows.

Q. 5 put.—A. I have heard some murmuring among the ship's company at being obliged to set up so late at the time the ship was fitting, but have no reason to think they would desert in consequence of it, altho' one of the boats crew has deserted since our arrival here, but I cannot state his reason.

Q. 6 put.—A. Evidence can give no opinion.

Short and
Tetley.

Q. 7 put.—A. I have heard altercations between them, but cannot speak as to the time or circumstance, and corroborates the evidence of Mr. Lye with respect to Captain Short having said that Lieutenant Tetley kept an almanac against him and the language made use of on that occasion.

Mr. Wm. Hobbs, boatswain, being called :—

The boat-
swain's
evidence.

Q. 1 put.—A. I recollect Captain Short appropriating about six yards of baize and canvas for dish stands; and on another occasion, the bolt of baize was sent for, and a quantity cut off to cover a desk; that he, the boatswain, was supplied with 20 yards of green baize, which was used by Captain Short for different purposes in his cabin, except what covered a sett of side ropes and chair slings, and side ropes for an accommodation ladder.

Q. 2 put, and answered by the 1st.

Employ-
ment of men
at the Cape.

Q. 3 put.—A. At the Cape of Good Hope, the man I had appropriated to me for a yeoman was mostly ashore attending the washing, and corroborates the former evidence respecting James Allen being lent, as also the testimony of Mr. Lye and Mr. Calver, respecting the armourer being lent at the Cape of Good Hope.

Officers'
commis-
sions.

Q. 4 put.—A. I do not recollect their having been read except last Sunday.

Q. What officers' commissions have you heard read?—A. I do not recollect any commissions being read but Captain Bligh's, which was read at sea. Captain Short's was also read at the same time.

Q. 5.—A. He corroborates Mr. Calver in that respect.

Q. 6 put.—A. But cannot recollect he has.

Short and
Tetley.

Q. 7 put.—A. Altercations so often happen between the captain and officers that he cannot charge his memory with anything particular.

Mr. Benjamin Bannister, carpenter, called :—

The
carpenter's
evidence.

Q. 1 put.—A. I know of no other circumstance than Captain Short's appropriating about 100 feet of wainscot for the purpose of making shelves to contain books in the great cabin.

Q. 2.—A. Answered by the first.

Q. 3 put.—A. Not within my own knowledge.

Q. 4 put.—A. I never heard them read but on Sunday last.

Q. 5 put.—A. Not to my knowledge.

Q. 6 put.—But evidence cannot speak to it.

Q. 7 put.—A. Corroborates the former evidence of this charge.

Q. What officers' commissions have you heard read?—A. The same as Mr. Hobbs.

Mr. F. L. Harding called :—

1806

12 Dec.

1 put.—A. From my own personal knowledge I cannot say I do, but I expect the shelves in the great cabin being made out of the ship's stores.

2 put.—A. But cannot speak to it.

3 put.—A. He recollects a man being lent at the Cape of Good Hope (armourer), but for what purpose he cannot say; also another man at the place, but cannot say to whom or for what reason.

4 put.—A. He cannot recollect how often except last Sunday.

5 put.—A. He has heard the ship's company murmur on that occasion, and he attributed to the short complement and boats' crews kept up, frequently the hard work occasioned thereby, but does not think it would induce them to desert.

6 put.—A. The evidence cannot take upon himself to answer.

7 put.—A. I have heard harsh language made use of by Captain Short and Lieutenant Tetley, but never particularly noticed the expression, as I never made a point of retiring when an altercation took place between them.

Mr. Harding's evidence. Improper employment of men.

The boats' crews.

Quarrels between Short and Tetley.

What officers' commissions have you heard read since you belonged to the ship?—A. I have heard Captain Bligh's commission read as first captain, Captain Short's commission, or order, as second captain—no others.

When did you join the Porpoise?—A. On the 7th May, 1807.

John Seymour, the armourer, called :—

1. 3 put.—A. I understood I was lent to the Fiscal* at the Cape of Good Hope, where I remained for three or four days.

The armourer's evidence.

Corpl' Wm. Stephens called :—

Q. 1 put.—A. I cannot say he ever did.

Q. 3 put.—A. Not to my knowledge.

Q. 4 put.—A. Three times—twice by Capt'n Short and once by Lieutenant Tetley.

Q. 5 put.—They have been often kept up, but I cannot say they would induce desert.

Q. 7 put.—A. I do not know of any instance.

Q. Have you ever heard any of the officers' commissions read?—A. I have heard Capt'n Bligh's and Capt'n Short's and no others.

The corporal's evidence.

James Allen called :—

Q. 1 put.—A. I do not recollect.

Q. 3 put.—A. I have worked for Mr. Fitz, by his order, for three weeks.

Q. 4 put.—A. I never recollect their being read but twice.

Q. 5 put.—A. Cannot say.

Q. 7 put.—A. He being below cannot speak to this charge.

A seaman's evidence.

William Harvey, boatswain's mate, called :—

Q. 1 put.—A. I do not know of any.

Q. 3 put.—A. Corroborates the circumstances as to Allen being lent.

Q. 4 put.—A. Cannot recollect, except last Sunday, when they were read by Lieutenant Tetley.

Q. 5 put.—A. I cannot say they would desert.

Q. 7 put.—A. It does not come within my knowledge.

End of examination and evidence of the enquiry on Lieutenant Tetley's order, dated 15th November, 1806.†

Evidence of the boatswain's mate.

* In the Dutch colonies the officer who carried out the Customs Regulations of the port is called a Fiscal or Schout Fiscal (Fiscal Sheriff).

† Ante, p. 209.

1806

12 Dec.

Mr. Daniel Lye, master's letter, of the 22nd November, 1806,* being read to the Court,—

Lieutenant J. S. Tetley called :—

The Court directed him to relate :—

Alleged
intemper-
ance of
Captain
Short.

Q. 1. Whether he ever saw Captain Short being so much intoxicated that it was with great difficulty he could stand when on the quarter-deck, and the duty of the ship going forward?—A. The night he entered the outer part of Simon's Bay, the harbor-master came on board. I acquainted Captain Short that he wished to know the particulars relative to the ship's arrival at that place. Captain Short appeared drunk, and ridiculed the officer, which the harbor-master expressed himself hurt at. That the ship, at the time, was at single anchor—an unsafe situation—and further states that on or about the 15th of June last Captain Short went out of the ship in a state of intoxication.

Alleged
improper
use of stores.

Q. 2. Does it come within your knowledge that Captain Short has made a wasteful expense of His Majesty's stores, and converted them to his own private use?—A. Yes. Shortly after our leaving Gravesend the carpenter mentioned to me that there was no wood on board to repair the boats with, the joiner, Corporal Stephens, having used the wood for furniture for Captain Short. At another time the carpenter informed me that the table I had lent from the gun-room to the midshipman's berth, had been cut up by the Captain's order, to make a writing desk for him. Two cotts, and canvas for two more cotts designed for the passengers, was never appropriated to their use, altho' applied for by them, but the canvas made into a cott for Captain Short. At the time we arrived at the Cape, I desired the boatswain to get a pair of side-ropes covered. He told me there was no green baize in the ship. He had sent between 30 and 40 yards into the cabin to Captain Short, and had never received any back; that the tailor had informed him it was made into dish stands and other uses for the cabin. On our passage between the Cape of Good Hope and Port Jackson, the boatswain informed me that there were no log-lines in the ship, and that for some time past he had been using fishing lines for that purpose, and that he accounted for there being no log-lines by saying that Captain Short had used them for every trifling occasion, both in the cabin and upon deck. On the 28th day of April, 1806, it will appear by the ship's log, that one of the jolly-boat's davits were carried away. No such thing took place, as it was in my particular watch that the circumstance was mentioned, and that an anchor-stock had been cut up previous to this to repair the boats in room of the wainscots that had been used in the cabin, and that Mr. Lye, the master, informed me the anchor-stock had been expended to replace the davits that were never carried away. He also says he heard Captain Short desire the gunner to expend two musquets as lost out of a boat at the Cape of Good Hope, which the gunner objected to, as no musquets were lost at the time.

The Articles
of War.

Q. How often have you heard the Articles of War read since you joined the ship?—A. Once at Spithead, and once last Sunday; but whenever a man was punished the Article under which he lay was always read.

The boats'
crews.

Q. Have the boats' crews been kept up every night from 11, 12, and sometimes 2 o'clock in the morning, when the ship's company have been turned out to whip the chair up?—A. It has frequently in this port happen'd till within the last fortnight.

Desertion.

Q. Are you of opinion that if the ship was in any other port than this, that the greater part of the ship's company would desert thro' that cause?—A. One man has already deserted since our arrival, and another attempted to do so; that much murmuring has existed among the people, which leads me to suppose that might be the case.

* Ante, p. 209.

Mr. Fra. Calver, the gunner, called :—

1806

Q. 1st put.—A. I saw him once at night when the ship was in Symon's bay, but no duty was going on at the time.

12 Dec.

Q. 2nd put.—A. He does not know of any wasteful expence of stores, but recollects that Cap't Short asked him, after leaving the Cape of Good Hope, to expend two musquets in a boat that was swamped there, which he declined, as the musquets were not lost.

The
gunner's
evidence.

Mr. Wm. Hobbs, the boatswain, called :—

Q. 1st put.—A. I have seen him two or three times intoxicated, but not so much so that he could not stand ; the only particular time was at the Cape of Good Hope, when he (Capt'n Short) was going on shore to a ball.

The
boatswain's
evidence.

Q. Did you ever tell Mr. Tetley that you have sent about 30 or 40 yards of green baize into the cabin, and had received none back ?—A. I told him I had sent all the green baize I had, and rec'd none back.

Q. Was the canvas that was drawn for the passengers' cotts appropriated for that purpose ?—A. As the passengers nor none of the officers applied for them, I did not issue them. The canvas is now on board, and remains on my charge as cotts.

Alleged
misappropriation of
stores.

Q. Has Captain Short had any part of that canvas for a cott for his own use ?—A. No ; the canvas drawn for the cotts being No. 3, and that made into a cott for the captain lately, No. 5.

Q. Do you know of any wasteful expence of the log-lines ?—A. There has been a number used for the cabin ; several carried away, but not allowed to be expended by Capt'n Short.

Mr. B. Bannister, carpenter, called :—

Q. 1st put.—A. I have seen him at different times when he has appeared to me to be intoxicated, but cannot recollect any particular time.

The
carpenter's
evidence.

Q. Did you cut an anchor stock up on the passage to repair the boats ?—A. Yes.

Q. What became of the plank you was supplied with for that purpose ?—A. Used for making scupper-shoots, by the captain's orders.

Q. How did you expend the anchor stock ?—A. Replacing one of the quarter davits.

Q. To your knowledge, was that quarter davit carried away, or did you work the anchor stop up to replace it ?—A. It was not carried away, but I was ordered by the captain to expend it, with which I complied, not being better acquainted with the service.

Mr. O. Pineo called :—

Q. Did Mr. Lye, since his confinement, report to you his being unwell from the closeness of his confinement, the small size of his cabin, the heat of the climate, and the unpleasant smell of the next cabin owing to a woman and family of children being there, by letter ?—A. He did. I visited him immediately in consequence of it ; and seeing his cabin door shut and window leading into the gun-room being also shut, I could not think he could suffer from a close confinement, and there appear'd no symptoms of ill-health.

The
surgeon's
evidence.

Mr. Pineo withdrawn.

Jas. Petty, the sergeant of marines, called and asked if any orders were given to the centinels to prevent Mr. Lye's door and window of his cabin being opened, who says that no such orders were given, but that Captain Short the other day, after Mr. Lye being confined, gave directions that the door might be kept open.

The
serjeant's
evidence.

* The numbered questions were identical with those put to Lieutenant Tetley, the previous witness.

1806

Mr. Pineo again called :—

12 Dec.

The surgeon
recalled.

Q. Did Mr. Lye request you to forward the letter he wrote to you to Captain Bligh ?—A. He did, which I communicated to Captain Short as my immediate commanding officer.

Q. As Mr. Lye complained of being ill, did you not conceive it your duty to visit him since his first complaint ?—A. I do ; but from my situation in the gun-room, and frequently hearing him converse, I had no apprehension of his being indisposed.

Q. How long do you suppose Mr. Lye can remain in that close state of confinement without his health being endangered ?—A. That will depend upon the state of the weather and other circumstances which I cannot foresee.

Short's
charges
against the
master and
lieutenant.

The charge against Captain Short by Mr. Lye, the master, being ended, Captain Short is called and requested to state the witnesses he wishes to have brought forward in support of the charges alleged by him against Mr. Lye, the master of the Porpoise, and Lieutenant Tetley.

John Bowman, gunner's mate, called :—

Evidence of
the gunner's
mate.

Q. 1. Do you know of Mr. Lye disobeying Captain Short's orders at any time ?—A. I was on the quarter deck on the 28th November last assisting unfurling the awning, and heard Captain Short order Mr. Lye to go forward and order the stream cable to be boused in, which Mr. Lye said he would do ; but that as the people were all employed there was no one forward to do it. Captain Short again told him to go forward and see it done, to which Mr. Lye replied that he would, but that the awning was not furled. Captain Short then ordered him to his cabin.

Alleged
disobedience
of orders.

Q. 2. Do you know of no other instance of Mr. Lye's disobeying Captain Short's orders ?—A. None ; except the night we were working between the heads, when I heard Captain Short desire Mr. Lye to go forward and take his great coat off, and not to set a bad example to the ship's company. Whether he complied I cannot say, as my attention was taken up in steering the ship.

Q. 3. Did you ever see Mr. Lye treat Captain Short with contempt ?—A. Never.

Q. 4. Did you ever hear Mr. Lye or Lieutenant Tetley talk in the presence of the ship's company in language tending to make them discontented and to create mutiny ?—A. Never in my life ; quite the contrary.

Q. 5. Do you know of any practices used by Lieutenant Tetley tending to create insubordination in this ship of which he is first lieutenant ?—A. No.

Q. 6. Have you ever seen Lieutenant Tetley intoxicated or drunk in his watch ?—A. Never.

Adam Brown, seaman, called :—

A seaman's
evidence.

Q. 1* put.—A. I was on the quarter-deck when Captain Short ordered Mr. Lye to see the slack of the stream cable taken in. Mr. Lye said he would go when the awning was out of the way, and corroborates Bowman's evidence on that question.

Q. 2 put.—A. I know of none.

Q. Can you speak to any disobedience of orders when the ship was working between the heads ?—A. None.

Q. 3 put.—A. Never.

Q. 4 put.—A. Never.

Q. 5 put.—A. Never.

Q. 6 put.—A. No.

* The numbers refer to questions put to John Bowman, the previous witness. As they are identical they have not been repeated.

Wm. Harvey, boatswain's mate, called :—

1808

12 Dec.

Q. 1 put.*—A. Corroborates the former evidences.

Q. 2 put.—A. He knows of none.

Q. 3 put.—A. Not to my knowledge.

Q. 4 put.—A. No.

Q. 5 put.—A. No.

Q. 6 put.—A. No.

Evidence
of the
boatswain's
mate.

Mr. W. Harding called :—

Q. 1 put.*—A. I know of none, but that some altercation took place.

Q. 2 put.—A. When working between the heads, respecting the captain's ordering Mr. Lye to take his great coat off.

Mr. Hard-
ing's evi-
dence.

Q. 3 put.—A. Never.

Q. 4 put.—A. Positively never.

Q. 5 put.—A. I know of none.

Q. 6 put.—A. I have seen Mr. Tetley after dining in the cabin, or with a party, gay, but never incapable of doing his duty.

Mr. W. Oldry, called :—

Q. 1* put.—A. I do not, indeed, except once when we were working between the heads I heard Captain Short desire Mr. Lye to take off his great coat. It was in the evening, and Mr. Lye replied he thought he might wear what clothes he thought proper ; and I did not see him take it off.

Mr. Oldry's
evidence.

Q. 3 put.—A. No.

Q. 4 put.—A. Never.

Q. 5 put.—A. Never.

Q. 6 put.—A. Never.

Mr. W. B. Basden, purser, called :—

Q. 1 put.—A. I remember one instance when the ship was working between the heads I heard Captain Short desire Mr. Lye to take off his great coat, which he did not do ; and that he has gone on shore since lying in this harbour when left commanding officer, which was contrary to Capt'n Short's order, which I believe is in the order book.

The purser's
evidence.

Q. 3 put.—A. I have heard Mr. Lye make use of replies to Capt'n Short which I have thought unbecoming an officer to his superior, but cannot recollect the circumstances.

Q. 4 put.—A. I have heard Lt. Tetley say before the ship's company it was a shame the people should be kept up so late, and should not wonder if they were to desert.

Q. 5 put.—A. I know of none.

Q. 6 put.—A. I have—once.

Q. 7. Was he incapable of doing his duty?—A. He was asleep on the after gun on the quarter-deck.

Q. Was there any other person on deck that saw him in that state besides yourself?—A. There was a petty officer and the man at the wheel. I do not recollect the petty officer's name, but the name of the man was John Woodhouse.

Mr. O. Pineo called :—

Q. 1 put.*—A. No, I never did.

Q. 2 put.—A. No.

The
surgeon's
evidence.

Q. 3 put.—A. I have seen him turn his back when Capt'n Short has given him orders, and answer him in a very rough manner, but cannot recollect any particular circumstance.

Q. 4 put.—A. I have heard language from both of them which I have considered as being very improper, such as reflecting on the mode of carrying on duty in the ship ; the boats' crews being kept up was enough to make men run away ; and particularly Mr. Lye saying that he wished the

Alleged
insubordina-
tion.

* See the questions put to John Bowman, gunner's mate, ante, p. 218.

1806

12 Dec.

boat would sink alongside. The best of his recollection, this language took place in the gun-room, when it was reported the captain was coming alongside. I have also heard Mr. Lye say if he had Capt'n Short in some place he would retaliate or resent injuries he had received, but cannot say whether this was in the gun-room or before the ship's company; and I have heard him damn Capt'n Short in the gun-room.

Q. 5* put.—A. I do not recollect any but what is stated in my answer on the 4th question.

Alleged in-
temperance.

Q. 6* put.—A. I have seen him intoxicated and asleep in his watch.

Q. Was any other person present?—A. Mr. Basden, the purser, was present.

Q. At what period of the voyage was this?—A. On the passage from England to the Cape.

Q. Had you and Mr. Basden had any conversation on that subject at the time you say he was drunk in his watch?—A. We had. We expressed our sorrow at seeing an officer in that situation.

Q. From your own observation, do you consider Mr. Tetley addicted to getting drunk when at sea?—A. I should not call him a sober man.

Mr. Basden called in again :—

The purser
recalled.

Q. Was any of the gentlemen of the gun-room on deck at the time you observed Mr. Tetley to be drunk?—A. Not at the time I was, to the best of my knowledge; and I was not on deck myself more than ten minutes.

Q. Can you take it upon yourself to say that Mr. Pineo was not present with you, and that you did not converse together upon the impropriety of an officer being in that situation?—A. I do not remember, not having taken an account, and so long a time having elapsed.

John Woodhouse called :—

Evidence
of John
Woodhouse.

Q. 6* put.—A. I never have.

Q. Do you recollect the circumstance of Mr. Basden taking the helm from you when you was at the wheel?—A. He never took the helm from me, but I remember his looking at the compass one night when I was at the wheel. Lt. Tetley had the watch at the time, but was not intoxicated. I never took a turn at the wheel but twice during the voyage, which enables me to speak more particularly to this circumstance.

Q. Do you recollect who was mate or midshipman of the watch at that time?—A. I do not recollect.

Q. Was Mr. Pineo on deck at the time?—A. I cannot recollect.

Mr. J. Harding called :—

Mr. Harding
recalled.

Q. On Lieut't Tetley's watch from England towards the Cape of Good Hope, was you mate of his watch?—A. I was.

Q. Do you recollect Mr. Tetley being drunk and asleep sitting on a caronade in any first or other watch during that passage?—A. I do not.

Q. If Lieut't Tetley was seen in that situation by any other person walking the quarter-deck, could it escape your observation?—A. No, as I always reported the log to him every hour; and if he had been asleep I must have known it, as he is very difficult to wake when asleep.

Q. From your own observation, and as mate of Lieut't. Tetley's watch, do you consider him as a person addicted to getting drunk?—A. I do not.

FINDING.

Finding
of the Court.

In giving our opinions on the above, it appears to us that Captain Short had appropriated to his use some yards of green baize and about 100 feet of wainscot for conveniences about his cabin, and that a false entry has been made in the ship's log-book respecting a davit being carried away, and that the carpenter was directed to expend an anchor stock to replace the davit, the anchor stock having been previously cut into boards to replace the

* See the questions put to John Bowman, ante, p. 218.

wainscot used in Captain Short's cabin. It also appears that Captain Short desired the gunner to expend two musquets when none were deficient. Retaining Captain Short's landing men from the ship, it appears that the armorer was lent for some days to a person at the Cape of Good Hope, by whom the service was injured by a carronade being disabled, and the arms in bad condition. It also appears that the boatswain's yeoman was lent as gardener to Mr. Fitz at the time the ship was refitting. From the nony adduced, it does not appear to us certain that the Articles of War have been read more than twice since the ship has been in commission, that no other officers' commissions have been read than those of Captains and Short. It appears that the boats' crew have been repeatedly kept up this port after the hour of twelve at night at a time when the ship was refitting, but no reason to suppose they would desert beyond conjecture. It also appears that much harsh language has been used by Captain Short to Mr. Tetley, as particularized by the master gunner's and carpenter's testimony. With respect to the charge of drunkenness alleged against Captain Short, we conceive that his being in that state at the Cape of Good Hope appears to be verified by the evidence of the boatswain, gunner, and carpenter—not laying any stress on Lieut. Tetley's testimony on that behalf. On Captain Short's charge against Mr. Lye for disobedience of orders, we do not in our conscience believe that any censure, beyond a reprimand, would be made by a Court-Martial, judging from the kind of testimony produced to us; nor do we conceive that the testimony produced to verify Lt. Tetley and Mr. Lye's treating Captain Short with disrespect and exciting insubordination and mutiny among the ship's company is at all proved; nor can we help pointing out to your attention the evidence of the purser and surgeon respecting Lieutenant Tetley being drunk in his watch, which we consider to be entirely shaken, from the variation there appears in their evidence of Mr. Pinco being on deck with Mr. Basden at the time he says he saw Lieutenant Tetley drunk and asleep on his watch, which charge we consider as further invalidated by the testimony of the mate of the watch, the man at the helm, and all the other evidences questioned on that behalf. Having given our opinion on the charges contained in the respective letters, we must submit to your consideration how far the charges against Mr. Lye contain sufficient grounds for his being kept in the state of arrest he is now in to be tried by a Court-Martial, which cannot be held in this country, nor can the prisoner and his evidences be sent from hence for that purpose without a total hindrance of the ship's services, for want of officers and men; and also submit to your determination whether there appears to be grounds sufficient for a Court-Martial on Captain Short.*

1806

12 Dec.

Certain charges proved against Captain Short.

Tetley and Lye exonerated.

The decision left to Bligh.

Given under our hands, on board H.M. ship Porpoise, in Sydney Cove, Port Jackson, the 12th December, 1806.

PHILIP GIDLEY KING, Principal Commander.
JNO. HOUSTOUN, Acting Second-Commander.
J. OXLEY, Acting-Lieutenant of His Majesty's Ship Buffalo.

GOVERNMENT AND GENERAL ORDER.

20th December, 1806.

20 Dec.

THE Commissary, by His Excellency's directions, having advertised for tenders for wheat to be delivered into His Majesty's stores for the use of Government, the Deputy Commissaries and storekeepers

Wheat tenders.

* On receipt of this opinion, Governor Bligh ordered Captain Short to liberate Mr. Lye, and direct him to return to duty until an opportunity occurred of trying him by Court-Martial. Short asked Bligh to reconsider his decision, but he refused. Short was tried by Court-Martial on his return (under arrest) to England, and honourably acquitted—post, p. 388.

1806
20 Dec.

will be directed to receive such wheat at Sydney and Parramatta as may be offered before the ship Sydney, loaded with rice, arrives, at fourteen shillings and ninepence, and at the Hawkesbury at thirteen shillings and ninepence per bushel—that being deducted from the medium prices of the tenders which have been delivered in, and expence of carriage from the Hawkesbury to Sydney, which will be paid for in quarterly bills.

The price of
wheat and
barley.

On account of the losses sustained by the late calamitous inundation, wheat will be taken at fifteen shillings, and barley at eight shillings per bushel, in liquidation of Government debts prior to the 13th of August last, according to the General Order of the 16th of March, 1806; but it is to be observed that persons who have become indebted to the Crown since the 13th of last August are to pay their debts in wheat at fourteen and barley at seven shillings per bushel.

These regulations respecting the liquidation of Government debts to continue until the 1st of March following.

Sleepy
drivers.

Whereas the drivers of teams and carts on the public roads have been found asleep in the carriages, and thereby endangering the lives of travellers on the road, as well as their own, and exposing the property they are entrusted with to plunder,—it is hereby ordered that on such persons being detected in future, the offender, if free, shall forfeit forty shillings; and if a prisoner, be punished as a Bench of Magistrates may think fit to adjudge for every such offence.

PUBLIC NOTICE.

21 Dec.

21st December, 1806.

A prize for
peach cider.

As a reward for the encouragement of growing peaches for the purpose of making cyder, it is His Excellency's pleasure to announce that the person who will produce, in the next peach season, two hogsheads of peach cyder, which, when one year old, is judged by him to be the best, shall receive a cow from Government as a reward.

MINUTES OF TRADE COMMITTEE OF PRIVY COUNCIL.

[Extracts.]

22 Dec.

22nd December, 1806.

The trade of
New South
Wales.

THE Chairman and Deputy-Chairman of the East India Company attended on the Bill for regulating the trade to New South Wales.*

Their Lordships are of opinion that it will be expedient to place the trade to and from New South Wales on the footing of the trade carried on to other British colonies with respect to duties and regulations, except that it should be confined to the port of London, and that no trade to and from the said settlement should

* See the text of this Bill, post, p. 241.

mitted but under license from the Court of Directors of East India Company or their authorized agents; and that said regulations should be in force for five years from the March, 1807, being within the period of the East India Company's charter.

1806

22 Dec.

* * * * *

consideration of the subject of shipping built in New South reserved.

CAPTAIN SHORT TO GOVERNOR BLIGH.*

His Majesty's Ship Porpoise, Sydney Cove,

25th December, 1806.

25 Dec.

I beg leave to acquaint you that, on my returning on board ship last evening, about half-past 10 o'clock, Mr. Basden informed me that Lieutenant Tetley and Mr. Lye had been in use of most provoking and unofficer-like language in the room, in a tone of voice to be heard by the ship's company on decks—one remark of Mr. Tetley's that the Porpoise was a damned hell afloat, and he did not care who heard him say so; that there were some damned rascals in her—one he could put out in a few minutes, that was now taking down what was Mr. Basden was the only person writing in his cabin with the door open), and that would not mind swearing a man's life with many other expressions equally improper. Mr. Lye, taking part in the conversation, said he only wished to have his reason on two scoundrels in this ship, which he would have, and here was a gang of villians on board not fit to black shoes, that he knew them all, with other expressions highly improper. Mr. Basden soon after went on deck, Mr. Lye following him, and twice intentionally run against him, which Mr. Basden took no notice of, but crossed the deck for the purpose of avoiding repetition of the insult. Mr. Lye followed him and twice ran against him, with an intent to provoke him to quarrel. At this time I was on board and heard the above, and, hearing Lieutenant Tetley had drank too much, I ordered Mr. Lye, who was officer of the watch, to have the lights in the gun-room put out, fearing that if I sent for Lieutenant Tetley in such a situation, he might use of irritating expressions, and meaning to inquire into it in the morning; but after going to my cabin I heard a noise in the room, and going on deck I observed the lights was not out on which I directed Mr. Lye to go down himself and see them out. This order I repeated four or five times before I could get him to obey it. I then returned to my cabin, but shortly after I heard loud talking on deck and Mr. Lye ordering Mr. Basden to go on the other side of the quarter-deck. When I went up

Charges
against the
lieutenant
and master.

The purser
and the
master.

Putting the
lights out.

A letter of Captain Short, and the report of the inquiry which Bligh ordered to be made, were sent Home to the Admiralty by Governor Bligh.

1806

25 Dec.

A dispute
on deck.The master
placed under
arrest.

Mr. Basden informed me Mr. Lye had again shoved against him when passing. On my asking Mr. Lye his reasons for behaving in such a manner he gave me very provoking impertinent answers, when, observing he was half drunk, I remarked it to him, and advised him to be very careful of his conduct—that he had already been guilty of mutiny, and if he did continue it I should be obliged to confine him in his cabin, where he should remain until he was tried by a Court-Martial. He directly turned his back in a most contemptuous and provoking manner, and said “*That does not rest with you.*” His repeating this language, I could bear it no longer, but ordered him a prisoner in his cabin. I also beg to add that this morning Mr. Pineo reported to me that himself and Mr. Tetley was walking on different sides of the quarter-deck; Mr. Tetley came over to him and said, “Do you know what my opinion of you is?” Mr. P. asked him whether he was speaking to him on duty or privately. His answer was “On duty,” and that his opinion was, “You are a damned scoundrel and villian for joining in opinion with the Captain just now.”

A disorgan-
ised crew.

After stating the above, I beg to say that the conduct of Lieutenant Tetley and Mr. Lye is such as to inflame the minds of the officers and ship’s company; that I am confident if they are permitted to do duty will create a mutiny. I have not confined Mr. Tetley, but have stopt his leave from going on shore, and have given orders to Mr. Pineo to take no private notice of a thing mentioned on a public quarter-deck and on duty.*

I am, &c.,

JOS’H SHORT.

THE RIGHT HON. WILLIAM WINDHAM TO GOVERNOR BLIGH.

[Extracts.]

30 Dec.

Sir,

Downing-street, 30th December, 1806.

* * * * *

The
evacuation
of Norfolk
Island.

The subject most necessary at present to advert to is the withdrawing of the establishment from Norfolk Island.

The ground on which this measure was determined on appears to have been the very great expence at which the settlement was

* Bligh directed ex-Governor King, Captain Houstoun, and Lieutenant Oxley to hold an inquiry. Their report, dated 26th December, was as follows:—“In considering the assertions contained in the preceding testimonies, we do not consider that any material point in Captain Short’s letter is proved in a satisfactory manner by a second witness to any one charge. And from the unhappy differences, that have increased to such an alarming degree on board the Porpoise, between the 2nd captain and officers, and in which there appears the utmost personal rancour, we consider that the testimony of Mr. Basden, the purser, and Mr. Pineo, the surgeon, are by no means free from personal rancour prejudice, and partiality; and in viewing the whole, from the testimony adduced, we conceive that there is no existing cause for Mr. Lye being put under arrest, or Mr. Tetley being confined to the ship. But we are decidedly of opinion that His Majesty’s service, as far as relates to the Porpoise being useful to the public duties of this colony, are entirely suspended by the unfortunate differences that exist on board that ship between the 2nd commander, surgeon, and purser, and the 1st lieutenant and master, which may lead to cause some change or separation to take place amongst those officers, which measure alone can tend to render that ship fit for any public service.” See also 13th December, 1807, post, p. 386. As in the previous case, Short was directed by Bligh to release the prisoners.

maintained, and the very great difficulty with which a communication between it and Port Jackson was preserved—a difficulty arising from the danger of approaching an island without a port secure from tempests, or even a road in which ships could safely anchor.

1806

30 Dec.

On these and other grounds, it seems that an order was conveyed by Lord Buckinghamshire,* when Secretary of State, dated June, 1803, for removing a part of the settlement of Norfolk Island to Port Dalrymple, or to some other situation on Van Dieman's Land.

Orders of Secretary of State.

The mode of removal proposed was that the settlers, together with their live and dead stock, should be conveyed to the place of their destination at the public expence, and that, on their arrival here, grants of land should be made to them in the proportion of four acres for every one the property of each individual which he should leave in a state of cultivation; and two acres for every one of waste or uncultivated land which he should have in his possession; that each settler should receive rations from the public stores for twelve months, together with the labor of two convicts for the same period, and every other usual aid which should be found necessary to enable him to provide for himself and his family; also, that such proportion of the live stock of each settler as he should not have the means of removing should be taken by Government and paid for at a fair valuation in money, or in such articles of necessity as the public stores of New South Wales might furnish.

Terms offered to settlers.

The expediency was at the same time suggested of leaving a small establishment and a few inhabitants on Norfolk Island for the purpose of raising maize to fatten swine, to be salted and cured for the use of the other settlements, and of sending persons from Port Jackson at the close of each summer to assist in effecting this object.

A small party to remain on the island.

It appears by the correspondence that the substance of these instructions having been communicated to the settlers by Lieutenant-Colonel Foveaux, many of them at first expressed perfect readiness to remove, but that they wished in general to postpone their departure until their crops, then in the ground, should be saved.

The settlers at first acquiesce.

It further appears that the crops, when saved, proved inadequate even to the supplying of food for the stock to be removed during the voyage to the Van Dieman Land, and that the settlers had hesitated afterwards in agreeing to the removal, a reluctance produced chiefly, it would seem, by some stipulations which were proposed to them by the Lieutenant-Governor in consequence of a dispatch which he had received from Governor King.

Second thoughts.

The settlers, it seems, at length represented to the Lieutenant-Governor (who was at that time about to return to England for the recovery of his health) that the terms proposed were inadequate to compensating the losses and privations which they should

The settlers retract.

* Lord Hobart. See vol. v, p. 157.

1806
30 Dec.

suffer by their removal to a new settlement, and that many local considerations, such as the nature of the tenures under which they held their lands and houses, the obligations between debtors and creditors, and other circumstances, would prevent them from accepting the proposed terms.

Four
settlers
leave the
island.

In consequence of these representations, considered as they were by the Lieutenant-Governor as being entitled to attention, and in consequence of impediments arising from a deficiency of food for the stock of the settlers, and of the want of sufficient means of conveyance, no steps were at that time taken for carrying His Majesty's instructions into effect. It appears, however, from a dispatch lately received from your predecessor, dated 20th July, 1804,* that a considerable number of the convicts had been moved to Port Dalrymple, but that only four settlers had withdrawn from the island†; and by a subsequent dispatch from him, dated 8th September, 1805, it appears that Governor King had sent the Buffalo to carry from Norfolk Island to Port Dalrymple such settlers as should choose to remove.

Expense of
maintaining
a settlement
at Norfolk
Island.

These measures, however, can have had but little effect in promoting the object of freeing Government from the expence of maintaining an establishment in Norfolk Island, the necessity for courts of justice, for a military commandant, for a detachment of troops, a chaplain, storekeeper, and for other subordinate officers, must still have continued, as well as the necessity of maintaining a constant communication with Port Jackson, and the consequent expence would inevitably increase according as the population of the island should advance, experience having proved that the crops become more subject to blight according as the clearing the land proceeds—inasmuch as that the crops have latterly almost entirely failed; at least, it is evident that as the crops would become less equal to the wants of the settlement every year, a proportionate increase of supplies from Port Jackson would every year become more requisite.

Self-
supporting
colonies.

Independently of these considerations, too, there appears to be very little doubt but that the settlement of Port Jackson and the adjoining territory will very shortly afford to its inhabitants abundant means of subsistence, and that the subordinate settlements of Hobart Town and Port Dalrymple possess every advantage which fertility of soil can confer.

The island
to be
abandoned.

It being evident upon the whole that very little, if any, advantages can be expected from a partial evacuation of Norfolk Island, commensurate with the expence of maintaining that settlement, I have it in command to desire that you will take the measures forthwith for withdrawing the settlers and all the inhabitants, together with their live and dead stock, the civil and military

* See King to Foveaux, 20th July, 1804, vol. v, p. 403.

† See the list of persons embarked on H.M.S. Investigator and Harrington, ib., p. 566.

ers and other inhabitants are to be divided into two
 classes—the first to consist of discharged seamen, marines,
 servants of Government, who have proved themselves to
 be honest and deserving of favour ; the second to consist of
 those who have formerly been convicts, but who have conducted
 themselves with propriety, or who have large families, or from
 other causes, may have claims to particular attention ; and the
 third to comprehend the remainder of the inhabitants possessing
 no claims, but who have no particular pretensions to the
 Government.

Inhabitants
 of Norfolk
 Island.

Persons in each of these classes, grants of land are to
 be made (free of expence), on their arrival either in the new
 settlement of Port Dalrymple or of Hobart's Town (according
 to the regulations), in the proportion of two acres for every one of
 the first class, and of one acre for every acre of waste land of
 the second class, which shall have been possessed in Norfolk Island. Convenient
 houses are to be erected on each allotment for the residence of
 the persons, at the public expence, in the manner hereafter ex-
 plained, of equal value with the houses which they shall have left

Concessions
 to settlers.

Persons of the first class, with their respective families, are
 to be victualled and clothed for two years at the public expence ;
 and to be allowed the labour of *four* convicts for the first nine
 months, and of two for fifteen months longer, the convicts also to
 be victualled and clothed at the public expence.

Convict ser-
 vants for
 the first
 class ;

Persons of the second class are to be victualled and clothed, as
 the first class, and to be allowed the labour of *two* convicts
 for the first nine months, and of one for fifteen months longer,
 the convicts also to be victualled and clothed at the public
 expence, and to be allowed the labour of *two* convicts

for the
 second
 class ;

1836

30 Dec.

Tools and
implements
supplied
free.

A discretion-
ary power
vested in
Command-
ant.

Live stock
left behind.

Civil officers.

Judge-
Advocate
Hibbins in
disgrace.

Lieutenant-
Colonel
Foveaux.

All these classes are to be supplied from the public stores with implements of husbandry, as well as with such other implements and tools equivalent to such as they shall have been possessed of and may not have it in their power to remove.

In regard to all persons not comprised within any of the classes, a discretionary power must be vested in the officer entrusted with the execution of the service of removing the settlers either to afford pecuniary compensation to the individuals for the property they may leave behind, or to certify the claims of each to dwellings at the public charge, as proposed for settlers of the first class. The officer in question is at the same time to be restricted from exceeding on any account the sum of £1,000 in affording pecuniary compensation.

In the event, however, of its being found absolutely necessary that any of the persons comprised within the above classes should leave behind them any part of their live stock, such stock is to be taken by Government at a fair valuation, and paid for in such articles of clothing, or other necessaries, as the public stores may furnish, and as may be best suited to the situation and wants of the individuals.

With regard to the officers on the civil establishment of Norfolk Island whose services shall be no longer necessary, it is His Majesty's pleasure that such of them as you may judge duly qualified shall be appointed to fill corresponding situations in the subordinate settlements of Port Dalrymple and Hobart's Town as vacancies may arise, and in the meantime that they shall continue upon half pay.

I am, however, under the necessity of excepting from this indulgence the Deputy Judge-Advocate, Mr. Hibbins, whose conduct in the transaction in which Mr. Clarke was concerned was such that I am to desire you will signify to him that His Majesty has no further occasion for his services.

The means of removing the settlers must be supplied by the Colonial vessels.

In carrying this measure into effect it would be highly desirable that Lieutenant-Colonel Foveaux should be employed; but as the health of that gentleman does not admit of his proceeding to New South Wales by the ships now under dispatch, it will be advisable that the removal of the settlement should not, on this account, be delayed.*

Should Lieutenant-Colonel Foveaux, however, arrive at Port Jackson before the final arrangement for carrying these instructions into effect shall have been completed, you will not fail to intrust him with the execution of the service.†

I have, &c.,

W. WINDHAM.

* See Bligh's instructions to Piper, post, p. 283.

† See Collins to Castlereagh, 20th April, post, p. 598; and cf. also pp. 726, 784, 785, 812, post.

THE RIGHT HON. WILLIAM WINDHAM TO GOVERNOR BLIGH.

1806

[Extracts.]

30 Dec.

Sir, Downing-street, 30th December, 1806.

* * * * *

The unfortunate difference or misunderstanding between you and Captain Short, which forms the subject of your letter,* appears, I must observe, to have arisen from very trivial causes, and to have proceeded to a length to which it could not possibly have advanced had you both been impressed with a just sense, situated as you were, of the propriety, if not necessity, of preserving a good understanding with each other.

Bligh and Short.

The questions on which your differences arose seem to be proper for the Admiralty, and only for the Admiralty, to whom you observe you have transmitted copies of your letter to decide.

I shall postpone, at present, entering at any length upon the subject of the communications which Governor King's despatches contain, since, as you are directed in your instructions to report generally upon the state of the colony, and as you will naturally convey to me all the information which you may be able to obtain upon the different points adverted to in the despatches, I shall hope to receive full and detailed information from you in your first despatches from New South Wales upon these points.

King's despatches.

The supplies required by Captain King have been provided and have been shipp'd on board the Duke of Portland and Young William according to invoices which you will receive from the Transport Board.

Supplies.

Salt provisions for one year's consumption for the settlements under your Government are also shipped on board of the above-mentioned vessels; but owing to the deficiency in the King's stores of the quantity necessary for the extraordinary demands this year of salted pork, the whole of the supply consists of beef. As pork, however, is more easily procured than beef in New South Wales, I apprehend that no inconvenience can possibly result from this change.

Salt provisions.

The objections made by Captain King to locating the land adjoining Mount Taurus to Mr. McArthur will be further considered when your observations upon the point shall be received.

Land for Macarthur.

Captain King's conduct in resisting the attempt of the house of Messrs. Campbell and Co. to introduce into the colony a quantity of spirits contrary to the orders of Government was highly proper, and I trust that the principle on which the prohibition rests will always be rigidly attended to.

R. Campbell & Co.

I herewith inclose the report of His Majesty's Judge-Advocate on the proceedings transmitted in Governor King's letter of —†

* Ante, p. 55.

† Blank in the original.

1806
30 Dec.
Assistant-Surgeon
Savage.

respecting Mr. Savage, and I cannot help expressing my regret observing in the correspondence with New South Wales so many instances of Courts-Martial upon points which might be disposed of without reference to this country.

No notice has been taken of Mr. Crossley's appeal, because the necessary security for the prosecution thereof has not been entered into by him or by any person on his behalf in England.

Augmenting
the troops.

I have the satisfaction to acquaint you that measures have been taken for augmenting the New South Wales Corps to 800 men and that when an opportunity shall offer the officers and men who have been added to the regiment are to proceed to their destination.

W. WINDHAM.

GOVERNOR BLIGH TO CAPTAIN PIPER. (Norton Papers.)
[Extracts.]

Government House, Sydney,
Sir, New South Wales, 30th December, 1806.
* * * * *

Michael
Robinson

You observe that Michael Robinson having applied to you for leave to return to Port Jackson for the purpose of arranging his concerns, you have allowed him to take a passage, in consequence of which he did arrive here without any other intimation or reason assigned on your part.

sent to Norfolk Island
by King.

On referring to the papers left me by my predecessor on this particular subject, I find, by his letters to you, dated 24th July and 10th August, 1805, that Robinson was sent to Norfolk Island under sentence of transportation, which instrument was forwarded to you by the late [Governor], the receipt of which, and the instructions on that subject, you acknowledge by your letter to Gov'r King, dated 14th Oct., 1805. Under the authority of these documents, I cannot too pointedly censure your sending back without my express permission, a person of Michael Robinson's description, when you possessed such pointed directions from Executive authority for his detention on the Island.

Piper
censured.

I regret, therefore, to observe I cannot but reprehend such deviation from your public duty; and, in consequence, to convey to you my directions, in case Lieut.-Gov'r Foveaux is arriving, that you return to your military duty in this settlement by conveyance this goes; or, if that officer should not be arrived, you will not fail to return here by the first opportunity after arrival, taking care to communicate this instruction to that officer.

* * * * *
I am, &c.,
W'M BLIGH

POPULATION

231

New South Wales, the 31st December, 1896.

1896
31 Dec.
Vital
Statistics.

Settlements.	Civil Department Victualled.																				Military Department Victualled.															
	Governor and Commander-in-Chief.	Lieut. Governor (one Lieut. Col of N.S.W. Corps) and Commandant.	Aid du Camp to His Excellency.	Deputy Judge Advocate.	Commissary.	Principal Surgeon.	Provost-Marshal.	Chaplain.	Secretary to the Governor-in-Chief.	Surveyor of Lands.	Deputy Commissaries.	Assistant Surgeons.	Boat Builder.	Mineralogist.	Clerk to the Commissary.	Superintendents and Storekeepers.	Women of Civil Department.	Children of Civil, above 10 years.	Children of Civil, above 2 years.	Children of Civil, under 2 years.	Total of Civil Department Victualled.	Major.	Captains.	Lieutenants.	Ensigns.	1 Adjutant, 1 Quartermaster, 1 Paymaster.	Burgess.	Sergeants.	Drummers and Pipers.	Privates.	Women of Military Department.	Children of Military, above 10 years.	Children of Military, above 2 years.	Children of Military, under 2 years.	Total of Military Department Victualled.	
Sydney	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2	5	12	1	10	4	45	1	1	..	1	1	1	1	21	10	314	60	12	113	19	547
Parramatta	..	..	..	..	..	..	..	1	..	..	1	2	..	..	..	5	7	2	8	4	30	..	..	..	..	1	1	3	2	77	10	4	33	6	137
Hawkesbury	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	1	..	2	2	..	6	..	..	..	..	..	..	1	..	17	1	1	9	..	20
Newcastle	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	1	1	1	..	4	..	..	..	..	..	..	1	..	1	17	..	..	..	..	18
Total	1	1	1	1	1	1	1	2	1	1	2	5	1	1	2	10	20	20	20	8	86	1	2	1	2	1	2	26	12	425	61	17	155	24	731	

EXPENDITURE.

1806

the charge of defraying the Civil Establishment of New South Wales, from 1st January to the 31st December, 1806.

31 Dec.

	£	s.	d.	Expendi- ture.
Governor	1,000	0	0	
Salary to the Governor at the rate of £1,000 per ann., to commence May, 1806	1,000	4	4½	
Deputy-Governor	250	0	0	
Deputy Judge-Advocate	365	0	0	
Commissionary	365	0	0	
Provost-Marshal	91	5	0	
Secretary to the Governor	91	5	0	
.. .. .	30	0	0	
.. .. .	350	0	0	
Barramatta and Hawkesbury	182	10	0	
.. .. .	365	0	0	
.. .. .	182	10	0	
£136 17s. 6d. per ann. each	273	15	0	
.. .. .	91	5	0	
.. .. .	182	10	0	
Salary to Mr. Grimes, Surveyor-General of Lands, in consideration of his meritorious services, and of the great increase of the duties of his office at the rate of 10s. per day, to commence from 24th June, 1805	277	10	0	
.. .. .	91	5	0	
Commissionaries of Stores at £91 5s. per ann. each	182	10	0	
Clerks to the Commissionary at £20 per ann. each	120	0	0	
.. .. .	91	5	0	
Storekeepers, at £50 per ann. each	100	0	0	
Attendant of Convicts	100	0	0	
Attendants of Convicts, at £75 per ann. each	150	0	0	
Attendants of Convicts, at £50 per ann. each	300	0	0	
Governor Philip in consideration of his meritorious services	500	0	0	
Governor Hunter in consideration of his long services	300	0	0	
Mr. Alt, late Surveyor-General, in consideration of his long services and his infirmities	91	5	0	
Mr. White, late Surgeon	91	5	0	
<i>Norfolk Island.</i>				
Governor	450	0	0	
Advocate	182	10	0	
.. .. .	182	10	0	
.. .. .	182	10	0	
.. .. .	182	10	0	
Commissionary of Stores	91	5	0	
.. .. .	50	0	0	
Surveyor of Lands	91	5	0	
Attendants of convicts, at £50 per annum each	150	0	0	
Printer	40	0	0	
Boat and pilot	50	0	0	
.. .. .	70	0	0	
<i>Hobart Town.</i>				
Governor	450	0	0	
Advocate	182	10	0	
.. .. .	182	10	0	
.. .. .	182	10	0	
.. .. .	182	10	0	
.. .. .	136	17	6	
.. .. .	91	5	0	
Commissionary	91	5	0	
Surveyor of Lands	91	5	0	
Attendants of convicts at £50 per annum each	100	0	0	
<i>Port Dalrymple.</i>				
Governor	450	0	0	
Advocate	182	10	0	
.. .. .	182	10	0	
.. .. .	182	10	0	
.. .. .	182	10	0	
.. .. .	136	17	6	
.. .. .	91	5	0	
Commissionary	91	5	0	
Surveyor of Lands	91	5	0	
Attendants of convicts at £50 per annum each	100	0	0	
.. .. .	300	0	0	
.. .. .	150	0	0	
Total	£12,819	9	4½	

1806
31 Dec.
Shipping
entered
inwards at
Port
Jackson.

SHIPPING RETURN.

A List of Ships and Vessels which have Entered Inwards in the Harbour of Port Jackson, in His Majesty's territory of New South Wales, between the 12th day of August, 1806, and the 31st day of December following, with the lading of each vessel.

Time of Entry.	Vessel's Name.	Master's Name.	Number of			Where and when registered.	Where and when built.	Owner's Name.	General Cargo.	From whence.	Where and when bond given.
			Tons.	Crew.	Men.						
18th. 20 Aug.	Albion	C. Richardson	302	10	24	Deptford	London	Wilson, Campbell, & Co.	General merchandises	England	.....
21 "	Alexander	R'd Brooks	278	12	24	Quebec	"	John Locke	"	"	.....
21 Sept.	Argo	J'n Bader	221	18	30	Foreign	"	Hullette & Co.	58 ton sperm oil	Coast	.....
1 Oct.	Aurora	A Meryck	202	..	25	Melford	Biddesford	D. Sterbeck	44 " 500 a. skins	"	.....
28 "	Santa Anna	C. McLaren	200	..	14	..	.....	Prize to the Port au Prince—H't Ben- zeth, owner.	General merchandises	Taken, 20 of June, 1806, off St. Blas	.....
7 Nov.	Atlantic	W'm Swain	323	2	23	Prize	London, 1806	Messrs. Endorby	750 barrels sperm oil	Coast	.....
2 Dec.	King George	W'm Moody	186	..	24	Syd., N.S.W.	Syd., N S W.	Lord & Co.	55 ton black oil, 3,000 a. skins.	South'd	.....
4 "	Argo	J. Bader	221	19	26	Foreign	London	Hullette & Co.	90 ton sperm oil	Coast	.....
23 "	Star	J. Wilkinson	119	5	10	Calcutta	"	.....	14,000 meal skins	South'd Indies.	.....

territory of new sound values, between the 1st of May and August, 1800, and following, with the lading of each vessel.

Time of entry.	Vessel's name.	Master's Name.	No. of		Where and when built.	Where and when registered.	Owner's name.	Gener		
17 Aug.	Brothers	B. Worth.....	258	20	Nantucket ..	Nantucket ..	Obb. Mitchell.....	700 barrels sperm oil	Coast	Sydney.
21 "	Fortune	Hy. Moore	622	20 41	Prize	London	Mestler & Co.	60 tons of coals, 86 pigs of copper, some spars.	Bengall	"
22 "	Vulture.....	Thos. Folger ..	312	14 30	"	"	Mather & Co.....	500 barrels sperm oil	Coast	"
4 Sept.	Britannia....	A. Hussey	206	10 27	London	"	T. Hill	200 tons sperm oil	England ..	"
8 "	R'd and Mary	Jas. Lucas	215	10 24	Dartmouth..	"	Spencer & Co.	100 "	"	"
20 "	King George	Wm. Moody ..	185	24	Sydney.....	Sydney.....	Lord & Co.	Ballast.....	Fishing	"
29 "	Argo	J. Bader	221	18 26	"	London	Hulletts & Co.....	58 tons sperm oil	"	"
5 Oct.	Sinclair.....	J. H. Jackson..	610	14 50	North of Eng-land.	Hull	Wm. Osbourne	60 tons coals, 3,000 ft. oak	China	"
5 "	Sophia.....	Jn. Walker ..	250	20	Bordeaux ..	Prize	Campbell & Co.....	Ballast.....	England ..	"
12 "	Albion	C. Richardson..	362	10 24	Deptford	London	"	"	Whaling ..	"
14 "	Elizabeth....	E. Dunker	238	2 17	Prize	"	"	"	"	"
24 "	Aurora	A. Meryck	302	2 26	Melford	Biddeford ..	D. Sterbeck	44 tons sperm oil, 500 seal skins.	"	"
— Nov.	Alexander...	Rd. Brooks	278	12 24	Quebec	London	John Locke	"	England ..	"
2 Dec.	Atlantic	Wm. Swain ...	223	2 23	"	"	Enderby & Co.	750 barrels sperm oil	Whaling ..	"

J. HARRIS, Naval Officer.

1806
31 Dec.
Shipping
cleared
outwards
from Port
Jackson.

1807

PROCLAMATION.

3rd January, 1807.

3 Jan.

Promissory-
notes.

WHEREAS by the General Orders dated the 1st of November, 1806,* that the term "currency" was only applicable to money, and not to barter in goods, and if a note was made payable in copper coin, as the currency of this country, it was to be inferred that money only was the means by which it is to be liquidated: It is hereby declared, according to the notice therein given, that from the date hereof all outstanding notes payable in copper coin or Colonial currency are hereafter to be considered as sterling money, and the amount may be sued for as if the said term "copper coin" or "Colonial currency" had not been expressed. And likewise, from the date of this proclamation, all checks and promissory-notes shall be drawn payable in sterling money, in consequence of the undefined manner in which notes have hitherto been given, and the many evils and litigations which have resulted therefrom in the colony.†

By command of His Excellency,
E. GRIFFIN, Secretary.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 3rd January, 1807.

Captain
Short.

LIEUTENANT John Putland, of His Majesty's ship Porpoise, is appointed to act as Commander of that ship during Captain Short's absence,‡ who proceeds to England in His Majesty's ship Buffalo.

GOVERNMENT AND GENERAL ORDER.

19 Jan.

Government House, Sydney, 19th January, 1807.

Government
draught
cattle.

It is directed that none of the Government bullocks, carts, waggon, or teams shall be used in any private employ whatsoever: and it is further ordered that they are on no account to work on Saturdays or Sundays without positive orders from His Excellency, or some person authorised by him.

* Ante, p. 198.

† Under date 18th November, 1807, all persons were prohibited from receiving or paying any note of hand which had not the words "sterling money," expressed, under penalty of both payer and receiver forfeiting double the amount of the note.—*Abridgment of Established General Orders*, Sydney, 1808, p. 15.

‡ Captain Short was sent Home under an arrest. He was brought before a Court-Martial on his arrival in England on charges formulated by Lieutenant Tetley (his first lieutenant). Short was honorably acquitted; in fact, the Court, after delivering judgment, addressed the Admiralty in his behalf, and requested that as he had been put to great expense and trouble, and had been deprived for a long time of his ship, some suitable and lucrative employment should be found for him. He was shortly afterwards engaged in connection with the Sea Fencibles. Lieutenant Tetley—apparently at the instigation of Mrs. Bligh—made a sworn statement to the effect that in bringing his charges against Short he had not been instigated by Governor Bligh. There can, however, be little doubt as to which party would receive Bligh's sympathies (if not his aid and co-operation). In 1814 we find a Captain Joseph Short in charge of a company of the 2nd Battalion of Royal Marines serving on the lakes in Canada, where he was wounded and forced to return to England. On the 7th June, 1815, the Admiralty informed Short that, in consequence of the report of the surgeons on the state of his wound, they had decided to allow him a pension of £100 per annum.

GOVERNMENT AND GENERAL ORDER.

1807

Government House, Sydney, 20th January, 1807.

20 Jan

NOTICE is hereby given that, from the date hereof, all persons are forbid going near the Government salt-pans in Rose Bay; or any person or persons coming there by water or landing near the said premises (unless with an order signed by His Excellency, and addressed to E. Kinsela, the manager of the salt-works), shall be taken into custody and imprisoned in the county gaol.

The salt
pans.

And all persons coming to the said salt-pans with orders are severely prohibited from entering the salt-house, unless by permission and in the presence of the said E. Kinsela.

ADDRESS OF HAWKESBURY SETTLERS TO BLIGH.

Hawkesbury, New South Wales, 29th January, 1807.

20 Jan.

To His Excellency William Bligh, Esq., F.R.S., Captain-General and Commander-in-Chief in and over His Majesty's territory of New South Wales and its dependencies, &c.

May it please your Excellency,—

We, the undersigned, holders of landed estates and principal inhabitants of the Hawkesbury, Portland, Richmond, and Nepean settlements, and other adjacent places in this colony, beg leave most respectfully to return our grateful thanks for the unbounded attention, labours, and pains your Excellency in your great wisdom has ever manifested towards us, and the general welfare and prosperity of this extensive colony at large, in the dreadful crisis of general calamity in which you found it.

A congratulatory
address.

And we, from the highest sense of gratitude and public duty, beg leave to assure your Excellency, while enjoying our native laws and liberty and living under a just and benign government, we will be ready at all times, at the risque of our lives and property, lawfully to support the same; and willing to anticipate your Excellency's just and humane wishes for the public relief, we have subscribed all the grain we can possibly spare from our own support to be carried to the public store at your stipulated price,* rejecting far greater prices in money which we could receive from the present market sale; and we hope the quantity subscribed (with more that probably may be spared) will furnish your Excellency with means for the present year's support without reverting to the ruinous necessity of importation, which your Excellency in your wisdom and penetration so justly sees and sets forth. And as these fertile settlements has ever furnished a superabundance of food, which is evident from the low prices it sold at, and the great surplus and quantities annually spoiled, wasted, and wilfully destroyed; and we doubt not, under the blessing of God and your wise measures, that the produce of our lands next season will again be more than abundantly sufficient for the fullest support of the whole territory, and in which case we will as readily supply such quantities as your Excellency may require at your fixed price of next season, and every endeavour to show ourselves worthy of your encouragement and protection. Praying for your prosperity and a long continuance of your just and benign government.

Grain
furnished to
the Govern-
ment.

[Signed by 156 persons.†]

* See the General Order of 20th December, 1806, ante, pp. 221, 222. The meeting at which this address was adopted was held at the house of Andrew Thompson.—*Sydney Gazette*, 8th February, 1807.

† Thomas Arndell, Thos. Hobby, Lazarus Graves, Joseph Kerswell, Andrew Thompson, George Crossley, Robt. Martin, Owen Tierney, Edward Pugh, John Dight, Robt. Campbell, Lawrence May, Patrick Connolly, Rich. Allwright, Chas. Palmer, John Palmer, Elizabeth Burne, Thos. Matcham Pitt, Rebecca Cox, George Hall, Paul Randall, William Addy, Wm. Cummings, Wm. Field, Wm. Rouse, M. Everingham, Henry Stockfish, Thos. Appledore, and 126 others.

1807

— Jan.

Provisions
for Collins
at the
Derwent.Collins at
Port Phillip.Food in
hand at
Hobart
Town.

THE RIGHT HON. W. WINDHAM TO GOVERNOR BLIGH.

Sir,

Downing-street, January, 1807.*

Since closing my despatches to you of the 30th ult^a,† I have received three letters from Lieut.-Governor Collins, dated the 17th and 25th of June, and the 2nd of Aug^t last,‡ in which he states that the settlement under his care has been so much neglected that he has been under the necessity of reducing the ration of provisions; also that the provisions sent to him from Port Jackson and Norfolk Island had been of the worst possible quality. He acknowledges that previously to the 17th of June he had rec^d a quantity of salted pork from Port Jackson, and a proportion of the articles consigned to him from England by the ship William Pitt; but he adds that intimation had been given him that he might expect a small supply of flour and barley meal, but that no vessel had reached Hobart Town on the 2nd of August following with that supply. On referring to the correspondence in this office respecting the settlement at Hobart Town, I find that Lieut.-Governor Collins left England in April, 1803, with instructions to settle the people who accompanied him at Port Phillip, in Bass's Straits, but with discretionary power to fix on any other part of the coast of New South Wales in preference, provided he should do so with the concurrence and approbation of Gov^r King, to whom copies of the instructions were forwarded, and he (Gov^r King) was at the same time apprized that the new settlements were to be considered as dependencies upon his gov^t, also that the Lieut.-Government was to be placed under his orders. It further appears that Lieut.-Governor Collins found Port Phillip to be deficient in many of the requisites for a settlement, and therefore fixed his establishment on the river Derwent, with the concurrence and approbation of Governor King, who had before formed a small settlement there under the charge of Lieut. Bowen, of the Navy.

In January, 1805, Governor King it appears informed the Secretary of State that Lieut.-Governor Collins had at that time 45 weeks flour and 35 weeks salt meat, and that as soon as a convenient opportunity offered, it was his (Gov^r King's) intention to compleat the salt provisions to a due proportion with the flour, of which there was sufficient to last until Oct^r, 1805, before which period he expected supplies from England. Gov^r King at the same time enclosed the copy of a letter which he had written to Lieut.-Governor Collins informing him that his report on the subject of a survey of flour and other provisions, and calculation of time they would last, had set his, the Governor's, mind at ease, but that he should not, notwithstanding, neglect any opportunity

* The duplicate copy in the London Record Office, from which the text is taken, merely bears date -- January, 1807. It was probably sent by either the Young William or the Duke of Portland which sailed from England, in company, in February, 1807.

† Ante, p. 224.

‡ See the letter of 17th June, ante, p. 94.

It might offer of adding to the stores of provisions at Hobart Town, observing that he could not but approve of his reasons for expecting that the wheat carried on speculation should be purchased, notwithstanding the *Sophia*, which carried his letter, had three weeks provisions on board for 26 female convicts, the overplus of which was to be delivered to the Dep'y Comm'y. In a dispatch from Gov'r King, dated the 30th of April, 1805, after stating that the quantity of wheat remaining in the colony was equal to 57 weeks consumption, and that no further supply of grain or flour could be required from England, observes that at Hobart Town there was flour and wheat to last till Jan'y, 1806, and at Port Dalrymple to last to the middle of August, and he adds that as further supplies of grain were on their way, shipped by individuals at their own risk, to be delivered into Government stores, those settlements would undergo no reduction in their full rations.

1807
— Jan.

Abundance
of grain.

In July, 1805, Governor King states that by a late opportunity he had sent a small supply of salt meat to Lieut.-Governor Collins, and that the *Buffalo* was then refitting in order to proceed to Norfolk Island to take a further proportion of grain and such pork as might be ready salted, to proceed with it to Port Dalrymple and to the Derwent. He adds that the remains of the salt pork did not exceed 64 weeks for the people victualled from the stores, including the supplies he should necessarily send to the Derwent, Port Dalrymple, &c., and, therefore, suggests the propriety of a supply being sent out.

Salt meat.

The last cited letter from Governor King was received on the 15th April, 1806. Two ships had in the meantime sailed from Europe with provisions and stores, as stated in the margin,* and would probably have arrived in March or April; indeed, it appears from Lieut.-Governor Collins's letter that one (the *William Pitt*) had reached Port Jackson about this time.

Supplies
from
England.

I need not state to you that stores and provisions to a considerable amount were also sent out by the *Lady Magdalena Sinclair* and the *Porpoise*, and I entertain no doubt but that you will have availed yourself of the ample means at your disposal to relieve Lieut.-Governor Collins from the difficulties and embarrassment of which he complains, and which must, I take for granted, have been occasioned by some accidental cause which he does not state.†

Relief for
Hobart
Town.

In L't-Gov'r Collins's letter, dated 2nd August, he encloses a demand for hospital supplies, many of the articles specified in which appear very far indeed to exceed the probable occasion for them. He requires, for instance, 400 gals. of wine, a quantity exceeding 6 hogsheads, and he at the same time states there is not a man sick in the hospital.

Extravagant
requisi-
tions.

* The margin is blank. The ships were probably the *William Pitt* and the *Atlantic*.

† See King's statement of stores, &c., forwarded to Hobart Town, post, p. 386.

1807

— Jan.

A warning
to officers.

It is not necessary to animadvert on this demand ; but it is necessary that a caution should be given by you to L't.-Gov'r Collins and the other L't.-Gov'rs, by which they may be aware that they are answerable for every demand which receives their sanction, and that when demands apparently so disproportionate as the one in question is to the occasion, are made, extreme inattention [of] officers on duty in not preventing or observing upon such demands in the dispatches must be attributed to them. The demands for medicines are not complied with, because a quantity sufficient for two years' consumption was sent by the L'y M. Sinclair.

W. WINDHAM.

THE EAST INDIA COMPANY TO THE RIGHT HONORABLE GEORGE TIERNEY.*

5 Feb.

Sir,

East India House, 5th February, 1807.

Trade of
New South
Wales.The rights
of the East
India
Company.Trading
under
licenses.London the
only port.

The draft of the Bill for opening the trade of New South Wales, under licenses from the East India Company and South Sea Company, together with the Earl Temple's letter of the 9th instant to you, have been submitted to the Court of Directors of the East India Company.† The Court did not think themselves called upon to advert to the necessity, expediency, or policy of opening the trade proposed ; they confined their attention to those provisions with which it seemed necessary that it should be accompanied in order to protect the exclusive rights of the East India Company, and, what is of much more consequence, to uphold the system deliberately adopted by Parliament for carrying on the commercial intercourse between Great Britain and Ireland, on the one part, and the East Indies and China on the other, so far as the company engage in it. In this view of the subject, the Court have prepared the form of a license to be granted by the East India Company to those who may wish to engage in the trade in question, in which they have introduced such conditions as they think are best calculated to keep it to the line proposed. The draft of the license is sent herewith.‡ The conditions it contains require no explanation, and but little comment. The object of them is to give a publicity to the trade which shall be carried on, so that any deviation from what is to be allowed may be easily detected. Besides the conditions in the license, there are two or three provisions which cannot properly be introduced into it, which the Court hope will be permitted to form a part of the Act.

The first is, that London should be the only port from and to which the trade proposed should be carried on. The same reasons which confine the Indian trade to the port of London are those which induce the Court to make this request. This will make some few alterations necessary throughout the Bill.

* The Right Honorable George Tierney, P.C., was appointed First Commissioner for the management of the affairs of India on 30th September, 1806.

† The Bill is printed as an enclosure.

‡ This document (a very lengthy one) has been omitted.

The next point we are to urge is, that no persons should be entitled to a license who do not previously deliver in a list of all the persons who are to be engaged in the adventure, and a specification of the goods proposed to be adventured in. The trade being to be carried on under a license, it cannot be doubted but that those who are to grant it should know to whom and for what it is to be granted.

1807

5 Feb.

Lists of
owners and
cargoes.

The Court hope that they will not be compelled to grant a license to any persons employed in the Company's service, or resident in the East Indies or China, or to any persons engaged in any trading partnership with any person resident in India or China. The reason of this exception must be obvious. It is also expected that no person who has ever proved himself unworthy to be trusted with a license, by a breach of its conditions, will be entitled as a matter of right to demand another.

No trade
with the
East.

The Court also propose that all vessels coming with cargoes from New South Wales should be compelled to unload in the East India Docks. The object of this is, that it may be more easily known what the cargoes consist of.

East India
Docks.

Besides the provisions for an export trade to New South Wales, and for importation from thence of goods of the growth, produce, and manufacture of that territory, the Court observe that it is expected that the settlement will carry on the whale fishery under licenses, said to be referred to by the Bill; but no such reference is made, nor are there any provisions in the Bill by which such a trade is proposed to be regulated. The Court have to state on this that the limits for the southern whale fishery, as established by the Acts for encouraging fishing adventures from this country, extend very close upon the China seas and islands, and, therefore, afford very great opportunity and temptation for an interloping trade with China under color of fishing. The Court, therefore, hope that no fishing from New South Wales will be allowed, unless under restrictions and security at least as effectual for the protection of the China trade as those which are contained and provided for in the 15 Geo. III, cap. 92; 38 Geo. III, cap. 57; and 43 Geo. III, cap. 90.

Colonial
produce.

The
southern
whale
fisheries.

With respect to the size of the ships which should be permitted to be built in New South Wales, the Court submit as their opinion that no vessels exceeding the burthen of 400 tons should be encouraged.

Size of
vessels.

We have, &c.,

W. F. ELPHINSTONE.

EDWARD PARRY.

[Enclosure.]

BILL for opening the Trade of New South Wales, under Licenses from the East India Company and the South Sea Company.

WHEREAS there is reason to believe that a beneficial trade might be carried on between Great Britain and His Majesty's territories in New South Wales if sufficient encouragement were given

Trade
between
Great
Britain and
colony.

1807

5 Feb.

thereto, and for that purpose it is expedient that licenses for carrying on the said trade should be granted by the United Company of Merchants trading to the East Indies, and by the Company of Merchants of Great Britain trading to the South Seas; and further, that His Majesty's subjects residing in the said territories should be entitled to have and enjoy such privileges with respect to the importation of goods into, and the exportation of goods from thence, as are now allowed to His Majesty's subjects residing in the British colonies or plantations in America.

Be it therefore, &c.,

that from and after the

all goods, wares, and merchandise

Exports and
imports
under
licenses

which by any law in force at the time of passing this Act may be exported from the United Kingdom to any British colony or plantation in America, may in like manner, under licenses as hereinafter mentioned, be exported from the United Kingdom and imported into any of His Majesty's territories in New South Wales, and that from and after the said day of

in British-
built ships.

any goods, wares, or merchandise, being the growth, production, or manufacture of any of the said territories, may, under licenses as hereinafter mentioned, be imported directly from thence into the port of London in British-built ships, owned, navigated, and registered according to law, and that all such exportations and importations shall be under and subject and liable to such and the like duties, drawbacks, and bounties, conditions, rules, regulations, and restrictions, and subject also to the like penalties and forfeitures for the breach thereof, in every respect, as the importation into Great Britain, or the exportation from thence to any British colony or plantation in America.

The
fisheries.

And in order to promote and encourage the carrying on the fisheries by British subjects resident in the said territories: Be it further enacted, that from and after the said day of

Regulations
governing
the oil and
seal trade.

any fish-oil or other produce of any fish or other creature living in the sea, actually and *bonâ fide* caught and taken by the crews of ships and vessels wholly belonging to and fitted out by His Majesty's subjects residing in the said territories, under licenses as hereinafter mentioned, may be imported into Great Britain, and may be there entered and landed on payment of such duties only as are payable on such fish or oil or other produce of fish when caught and taken by His Majesty's subjects carrying on such fisheries from His Majesty's colonies or plantations in America. Provided always that no such oil or other produce of fish or other creature living in the sea shall be admitted to entry on payment of duty aforesaid unless accompanied by a certificate under the hand and seal of the collector or other principal officer of the customs in such territory, or in case no such collector or other principal officer shall be appointed, then by a certificate from

or other person having the command of the ship or vessel in such fish-oil or other produce shall be imported, shall swear before the collector or other chief officer of the customs port of London, who is hereby authorised and required to administer such oath, that all such fish or other produce was lawfully caught, taken, and cured wholly by His Majesty's subjects within His Majesty's territory of New South Wales.

And be it further enacted, that all ships, vessels, goods, wares, merchandise, which shall or may be seized, and all penalties and forfeitures which shall or may be incurred in pursuance of this Act shall and may be prosecuted in any of His Majesty's Courts of Justice in the said territories, or in the East Indies, Prince of Wales, or the Cape of Good Hope, and the produce thereof applied and distributed in such manner as if such prosecution had been carried on in any of His Majesty's courts of justice in the British plantations in America.

And be it further enacted that the Court of Directors of the United Company of Merchants trading to the East Indies, the Governor and Company of Merchants of Great Britain trading to the South Seas, shall, and they are respectfully required, on written application being made to them, or their agent or persons duly appointed for that purpose, to grant licenses with conditions, conditions, and restrictions in the form hereto annexed to British-built ships or vessels, owned and navigated according to the laws of Great Britain, to trade between the port of London and His Majesty's Colonies in New South Wales; and if any British-built ship or vessel shall be found navigating or trading within the limits of the said colonies without having previously obtained a license, or if any ship or vessel having such license shall be found navigating (unless where such deviation shall have been caused by stress of weather or other unavoidable accident, the matter of

The East
India
Company

Licenses

1807

5 Feb.

Prelimi-
naries to
issue of
license.

Information
to be
supplied.

The issue of
licenses.

Servants of
the Com-
pany or
residents in
the East
excluded.

Provided always, and be it further enacted and declared that, the said United Company, or their Court of Directors, or the Governor or Commander-in-Chief of His Majesty's forces in the said territories, or any agent of the said United Company, shall not be compelled or compellable to give or grant any such license as herein is mentioned until days after the person or persons requiring the same shall have signed and delivered, or caused to be delivered, to the Secretary of the said United Company, or the said Governor or Commander-in-Chief, or such agent as aforesaid as the case may be, a true and correct list of the names and places of abode of the owner or owners, and master, and also of the mates, supracargoes, and crew of the said ship, and of all the passengers and other persons, and of the species, quantity, quality, and value of all the bullion, goods, wares, merchandizes, and stores, then on board the said ship or vessel, or intended to be shipped on board her for the said voyage, such list to be verified by the affidavit on oath, or, in the case of a Quaker, by affirmation of the person or persons requiring such license, such oath or affirmation to be made before and attested by any magistrate or other person authorized by law to take affidavits.

And be it further enacted that it shall be lawful for any of His Majesty's subjects, being resident in any of the said territories, having first obtained for one voyage a license in form aforesaid from an agent of the said companies respectively appointed in the said territories for that purpose, or if no such agent shall be appointed or resident there, then from the Governor or Commander-in-Chief of His Majesty's forces in the said territories, which license the said agent or Governor is hereby respectively required to grant in the form hereafter mentioned, to export from thence, and to import into the port of London any goods, wares, or merchandize, being the growth, produce, or manufacture of the said territories, in any ship or vessel built in the said territories being the property of His Majesty's subjects residing therein and navigated by British subjects, such built and property being proved by certificate of the collector, or other principal officer of His Majesty's Customs, or in case there should be no such collector or officer, then under the hand and seal of the Governor or Commander-in-Chief of His Majesty's forces in the said territories; and it shall be lawful for His Majesty, by and with the advice of the Privy Council, on the arrival of any such ship or vessel in the port of London, upon application to him made, to authorize any such ship or vessel to be registered without payment of any duty whatever for any such ship or vessel or the sails thereof in like manner, and so as to have and enjoy all the privileges and advantages of a British-built ship or vessel.

Provided always, and be it further enacted, that it shall not be lawful to or for the Governor or Commander-in-Chief of His Majesty's forces in the said territories, or to or for any agent of

said United Company, to grant any such license as herein is mentioned to any person or persons who shall be in the service of said United Company, or who shall be resident in the East Indies or China, or elsewhere within the exclusive limits of trade of the said United Company, other than except New South Wales, or any person or persons who shall be engaged in any partnership with any person who shall be so resident, except as aforesaid, or who at any time shall have been guilty or concerned in the breach of any of the provisions of this Act, or any of the conditions of any license to be granted in pursuance thereof, or of any of the provisions of an Act made and passed in the 35th year of His Majesty's reign, entituled "An Act for further encouraging and regulating the Southern Whale Fisheries," nor to or for any ship or vessel wherein or in the cargo or voyage whereof any such person or persons shall have any interest or concern whatever, without the previous consent of the said United Company, or their Court of Directors, for that purpose first had and obtained, nor shall the said United Company, or their Court of Directors, be compelled or compellable to grant any such license to any such person or persons, or to or for any ship or vessel wherein or in the cargo or voyage whereof any such person or persons shall have any interest or concern whatever.

1807

5 Feb.

Other exceptions.

And be it further enacted, by the authority aforesaid, that all ships and vessels which shall arrive or come from any of the territories in New South Wales shall unload or discharge the whole of their respective cargoes within some or one of the docks or basons at Blackwall, made or to be made by the East India Company, in pursuance of an Act of Parliament made in the 13th year of His Majesty's reign, entituled "An Act for the better improvement of the port of London by making docks and other works at Blackwall for the accommodation of the East India shipping in the said port." And the said ships and vessels and their cargoes, and the owners, commanders, officers, and crew thereof, shall be subject and liable to like payments, and to the performance and observance and benefit of all the rules, regulations, provisions, and subject to the like penalties and forfeitures so far as relates to the unloading and discharge of the cargoes of the ships and vessels as are mentioned and contained in the said Act, or any other Act of Parliament relating to the said docks or basons, or to ships or vessels required to unload or discharge, or relative to the unloading or discharging their cargoes in the said docks and basons, and to all such bye-laws, regulations, and provisions as have been or shall be lawfully made relative thereto, save and except only that it shall not be necessary that the cargoes of the said ships or vessels shall be taken to the warehouses of the said Company of Merchants trading to the East Indies.

Vessels to unload at East India Dock.

1807
5 Feb. —
The rights of
the East
India Com-
pany
preserved.
Penalties.

Provided always and be it further enacted that this Act, or anything herein contained, shall not extend or be construed to extend to take away, abridge, vary, or alter any of the rights and privileges belonging to or vested in the United Company of Merchants of England trading to the East Indies, or the rights and privileges of the Company of Merchants of Great Britain trading to the South Sea; but all persons resident within any of His Majesty's territories in New South Wales, and all trade to be carried on from any such territories, shall be subject to all and every the provisions, restrictions, regulations, licenses, and conditions in every respect as any other trade carried on by any British subjects is now or hereafter may be liable to by law, and shall be subject to the like penalties and forfeitures and all other matters and things which any British subjects, and the goods, merchandize, and trade of any British subject would be subject and liable to by law for doing anything in violation of the rights and privileges of the said United Company of Merchants of England trading to the East Indies, or of the Company of Merchants of Great Britain trading to the South Seas, except to the importation of goods, wares, and merchandize into or the exportation from the said territories according to the directions of this Act, and except also that no goods and merchandize so imported from New South Wales into this kingdom shall be subject to the regulations of the said Company of Merchants trading to the East Indies respecting goods and merchandize imported from the East Indies.

And be it further enacted that this Act may be altered, varied, and repealed by any Act or Acts to be made in this present session of Parliament.*

GOVERNOR BLIGH TO THE RIGHT HON. W. WINDHAM.†

Government House, Sydney, New South Wales,

7 Feb. Sir, 7th February, 1807.

The harvest. I have now the honor to communicate to you the state of this colony, in addition to my former despatches in November‡ last by the Alexander, since which the wheat harvest has been got in, and by a laborious personal examination I have ascertained its produce to be extremely short of what it was first expected. This, together with the inundation, may be attributed to the seed last season being very much damaged by the moth, to the probability that a part of the seed which was sown did not vegetate, to the

A bad wheat crop. seed being very scarce (whereby many of the settlers did not sow much more than half the quantity they would have done on an acre), and to the season being wet, so that the seed in many places rotted in the ground. These calamitous circumstances are severely

* A change of Administration, which took place in March, 1807, was probably the reason why this Bill never became law.

† Marked "General Letter."

‡ See Bligh to Windham, 5th November, 1806, ante, p. 199.

alt, and would be alarming but for the harvest of maize, which
now coming in, and will be productive if no floods take place
before it is gathered. Nevertheless, both wheat and maize will
be very scanty to provide seed and food until next year, the
smallness of the maize crop being owing to there not having been
sufficient to crop the ground.

There were 5,046 acres of wheat sown, and its produce I
calculate to be 53,198 bushels, which is ten bushels per acre, from
whence, deducting 12,000 bushels for seed, there remains 41,198 for
consumption.

There were 3,120 acres of maize planted, which may produce
58,975 bushels at twenty bushels per acre, from whence, deducting
10,000 bushels for seed, there remains 48,975 bushels for con-
sumption.

The wheat and maize added together make 100,173 bushels,
which for 8,000 souls gives 13 bushels for each person. This is
very little when we consider that the great scarcity of animal
food will cause a greater consumption of grain, and the incon-
siderate settlers will use more than is really necessary; besides
that may be wanted for the shipping and the feeding of swine,
poultry, and cattle, which is the support of the greatest part of
the people. There is no immediate relief to be expected, except
the arrival of the Sydney* with four hundred tons of rice, which
Governor King sent for last April, and we are hourly expecting;
but Mr. Campbell, a merchant here, has my permission to send a
brig to China, by which I hope to have a small supply of rice
(about eighty tons) in the course of eight months. To enter into
farther means to get relief would not be wise, as it cannot be here
in time. We must therefore struggle through until next harvest,
which will teach the settlers to be more provident and industrious
than by any admonition whatever. Considerable importation
would lead to great indifference, as it would reduce the price of
grain, and not make it worth their while to grow it; but when
they begin to find a regular market for their grain, agriculture
will be the chief pursuit both here and at the out-settlements.

The harvest thus unproductive has its other consequent evils.
The settler is slow in bringing the grain to sale and extravagant
in his price, which some designing men are underhand encouraging.
We have fixed 14s. 9d. per bushel as Government price to those who
will supply us, and 15s. for such wheat as may be returned into
store as payment for Government debts; and have offered cattle
in exchange for wheat, and am adopting such means as may be a
rather security to our getting a sufficiency for the consumption of
the persons under Government; but such a distressed state have

* The Sydney was wrecked on a reef upon the coast of New Guinea, but without loss of
The contractor, in her place, sent the General Wellesley, which arrived with timely
plies of rice and wheat about a week after the date of the above letter.

1807
7 Feb.
High price
of wheat.

I found the colony in that we are obliged to get grain how we like for present use and at a high price, having not above 1,200 bu. to unthreshed at Government farm, which must be reserved to last. At present I am sorry to observe that the little wheat which is brought to market sells from 20s. to 24s. per bushel, but which I hope, when the settlers generally begin to thresh, and the next harvest comes in, will be reduced to the price which we have offered, and according to a promise they have made, we shall be better supplied.

* * * * *

Cattle. Our stock of horned cattle are doing extremely well, and will in time secure the country against all want of that kind of food, and I shall endeavour to increase it by taking, if practicable, some of the wild cattle which I have seen in the Cow Pastures.

The wild cattle. These fine animals are increasing fast, and will stock the country if they are kept free of any molestation by private individuals settling where they are, and at present computed to be about four thousand; but I think the number overrated. I am given to understand that it was Government's intentions they should be undisturbed, and the principle was acted upon until Mr. McArthur, in 1805, came from England with an order to occupy land in the range of those animals, which Governor King allowed him to do, under some agreement that my Lord Camden was to decide whether he was to remain there, or receive another allotment of land as an equivalent. On this subject I beg leave, sir, to refer to Governor King, who can point out, as he has done to me, the bad consequences which will attend giving grants of land in that neighbourhood, on the west side of the Nepean, and which he thinks has been done through some miscomprehension of its consequence to the increase of the wild herds, connected with the breeding of sheep, while there is abundance of land on this side the river, which is very eligible, unless the occupancy was equally allowable to all.*

Macarthur's land grant

Sheep. The sheep in time will increase in number and quality, both in carcass and in the fleece; but the latter is not an object which every one can yet entirely attend to. Herdsmen are scarce, and if a few individuals were to have all the servants they pretend should be allowed them to this pursuit, the agriculturist would want his labourer, and the inhabitants grain for their common consumption.

Mutton. In general, animal food is a greater object to the proprietors of sheep than the fleece, as there is an immediate demand for it. When there were a few thousand sheep, a more particular attention could be paid to them, and they doubled their numbers in two years and an half; but now, being increased to twenty thousand and upwards, and not having equal means to take care of them, the increase is not so great, as may be seen by the returns.

* * * * *

* See Castlereagh's reply, 31st December, 1807, post, p. 400.

When my observations on this country are more matured, I think it my duty to submit them to you, sir* ; but in the meantime, I take the liberty to recommend the Reverend Mr. Marsden, who now goes Home in the Buffalo, as a person who can give a proper and just idea of its nature and soil, and any general explanation, should you require it, having made it his particular duty.

1807

7 Feb.

Rev. S.
Marsden.

It may be proper for me now to inform you, sir, that besides the attention which is required to the encouragement of agricultural pursuits and protection of the out-settlements, there is much for me to do in the police of the country (magistracy not being arrived to that dignity which it should be) ; in its state of defence ; in repairs and completion of the public works and churches—as stated in the returns ; in regulating private buildings and schools in the towns ; and the watching over the rising generation and impressing upon their minds, by instruction, what has been entirely neglected by their parents in moral and Christian duties ; but there are a vast number who have no parents, the mothers being dead and their fathers having left the country as either sailors, soldiers, or prisoners who became free.

Prospective
reforms.

In no country could there occur more obstacles in gaining these ends, for besides the natural habits of the prisoner tending to obstruct every attempt, the settlers are by no means of that character which teaches industry and good-will.

Obstacles to
reform.

But under all these disadvantages I have the fullest confidence of being able to produce, in due time, some changes for the better, and see the colony assume a more cheering aspect than it does at present.

Bligh's
confidence.

The inhabitants are healthy and marriages increase. In my late surveys I ascertained the married women were 395 ; legitimate children, 807 ; natural children, 1,025.

Marriage.

By my Instructions I am commanded to account for the allowance which has been granted to the Commissary-General of 15 p. cent. that he has hitherto received on the sale of articles for barter ; and in answer to which I beg leave to refer to Governor King's and the Commissary's answers thereon, which accompany this despatch, whereby it appears the percentage was to the Naval Officer on monies he received for certain duties levied for the Orphan School and Gaol Funds.†

Fees.

It is also recommended to me to persevere in the system laid down by Governor King of a rigorous prohibition of any quantity of spirits without a licence from me for that purpose. This I shall

Importation
of spirits.

* See Bligh's lengthy letter of 31st October, 1807 (post, p. 349) which he evidently regarded as a fulfilment of this promise.

† Governor King, writing to Sir Joseph Banks in August, 1804, referred to the Rev. Samuel Marsden as the "best practical farmer in this colony"—vol. v, p. 450. In a pamphlet published in 1826, Marsden vindicated his action in engaging in agriculture and farming.

‡ The letters of King and Palmer are omitted ; Bligh's explanation sufficiently indicates their contents.

1807

7 Feb.

The spirit
traffic.

rigidly attend to. It has been a great evil in this country ; but its being used by way of barter has added to its pernicious effects more than by the quantity imported beyond all conception.

The regulation respecting spirits has been by permits from the Governor to individuals to receive certain quantities when a ship arrived, at the market price (about 8 or 9 shillings p'r gallon), and allowed to be bartered away at 20s. p'r gallon by General Orders ; but such various ways are adopted that the holder enhances its value from three to five pounds, and even eight has been given by unfortunate people who will not do without it.

Payment in
rum.

A sawyer will cut one hundred feet of timber for a bottle of spirits—value two shillings and sixpence—which he drinks in a few hours ; when for the same labour he would charge two bushels of wheat, which would furnish bread for him for two months ; hence those who have got no liquor to pay their labourers with are ruined by paying more than they can possibly afford for any kind of labour which they are compelled to hire men to execute, while those who have liquor gain an immense advantage.

Purchasing
wheat.

At harvest, or shortly after, those who have got spirits go or send their agents to purchase wheat, and frequently take from the thoughtless settler two and three bushels of wheat for a bottle of spirits (which cost the proprietor only half a crown), and in the same proportion for any part of his stock.

On this account principally it is that the farmers are involved in debt, and either ruined by the high price of spirits, or the high price of labour, which is regulated thereby ; while the unprincipled holder of spirits gets his work done at a cheap rate and amasses considerable property.

Two gallons
for an acre.

A settler has been known often to give an acre of wheat for two gallons of spirits, to satisfy his labourer, or for his own use, which would maintain him a whole year.

These are but few of the evils attending this pernicious traffic, nevertheless the barter of spirits has its advocates ; but only those plead in its favor who are ignorant of its effects, or those very few who have imported a large quantity and gain immensely by it.

Barter to be
stopped.

I have considered this spirit business in all its bearings, and am come to a determination to prohibit the barter being carried on in any way whatever. It is absolutely necessary to be done to bring labour to a due value and support the farming interest. The importation which has been allowed will be continued, but not in a greater quantity, however less I may reduce it ; thus, while the value of the commodity is reduced to a proper standard, the consumption will not be increased, no evil having happened from that cause, but from the limited use of it, by barter. The licenses for public-houses are the same number they have hitherto been, but under certain restrictions and penalties, which will go so far as is practicable to support my intended purpose.*

* See the Order of 14th February, post, p. 253.

practice still continues in violation of every order and vigilance police. I am aware that prohibiting the barter of spirits met with the marked opposition of those few who have so lately enriched themselves by it.

part of my instructions directing my attention to the moral ^{Moral and} religious education of the colony is peculiarly the object of my ^{education.} attention, and everything shall be done for the education of the colony.

We have now all our artificers employed building the Church of ^{The} St. John, which I hope will be completed, or nearly so, in six months. ^{churches.}

The Church at Parramatta will then be our next object, which is left unfinished to the present day, not a pew being in it. It will take about five or six months to complete it.

At the Hawkesbury we have turned a large building into a school, which will be fitted up while we are proceeding with the

Reverend Mr. Marsden has had no person to assist him for the last six years, until just before I arrived, when a Mr. Fulton ^{The} came from Norfolk Island to do the duty while he is absent. ^{chaplain.} This gentleman had the misfortune to be sent to this country from England in 1798, and since emancipated by Governor King, but without commission. He has done the duty of a clergyman at Norfolk Island by order of Governor King. His character has been like a moral, good man, becoming his situation, and has a wife and three children.

Under this consideration, there will be wanted a clergyman for Parramatta, the settlement at the Hawkesbury, Port Dalrymple, ^{More clergy-} Norfolk Island, if Mr. Fulton should not be continued in his ^{men wanted,} position.

It will be of great importance that the clergymen who may be wanted should be married men.

1807 parts of the colony ; and I shall use such remuneration to school-
7 Feb. masters and mistresses as will fulfil His Most Gracious Majesty's
directions.*

Returns sent
Home.

I now forward by conveyance of the Buffalo, in which Governor King takes his departure, a general statement of the inhabitants in the different settlements under my government, with an estimate of the time the provisions remaining at each will last, taken on the 31st December ; abstract of the remains and demands for provisions, also of annual and extra supplies, and that of stationary for the use of the public offices, of which we are in very great want.

Statements
of receipts
and expen-
diture.

Governor King has hitherto sent Home every six months an abstract of the receipt and expenditure of provisions, stores, and annual supplies ; but, from the great increase of business in the Commissary's department, and the considerable trouble it gives the Governor, and takes him from very momentous concerns of the colony, I hope my sending them Home yearly will be deemed sufficient. The general state of the settlements will be sent by every opportunity that offers, and every detail connected therewith.

Paterson
and Cox.

In consequence of orders which Colonel Paterson received from His Royal Highness the Commander-in-Chief to send Mr. Cox, the Paymaster of the Corps, Home for malversation, he left his government in tranquillity with Captain Kemp, but he now returns in the Estramina Colonial schooner, and Mr. Cox in the Buffalo, to answer such charges as will be brought against him.†

Grain bills.

I have to apologise for having omitted to state in its proper place that the Commissary computes (in his letter of this date which accompanies this despatch) there may be a necessity to draw bills to the amount of twelve thousand pounds for grain during the present year ; but my attention will be so much to lessen every expence, that nothing but the utmost necessity will force me to draw bills to such an amount.

Hobart
Town.

With the documents already referred to I have the honour to transmit a copy of Lieutenant-Colonel Collins's letter to me of the 18th October last, with a statement of the settlement under his command.‡

Delay of the
Buffalo.

I reflect with regret that my former dispatches must have occasioned daily expectation of the Buffalo's arrival ; but to procure those necessaries she required, as well as the propriety of not sailing till the state of the country could be known after the harvest, has delayed her.

To Governor King I beg leave to refer further information, and have, &c.

W'M BLIGH.

* See Spencer Perceval's letter of 27th December, 1807, and Castlereagh's reply to Bligh, 31st December, 1807, post, pp. 393 and 399.

† The William Cox who purchased an ensigncy in the New South Wales Corps, post, p. 817, was a son of William Cox, Paymaster to the Corps.

‡ See the general statement of inhabitants at the Derwent, 16th October, 1806, ante, p. 195.

excellency the Governor laments as arising, by his late bartering
rough the colony, that the most calamitous evils have grain for
duced by persons bartering or paying spirits for spirits.
the necessities of life, and the labourers for their hire,
ceedings depressing the industrious and depriving the
of their comforts and wants. In order to remedy these
complaints, and to relieve the inhabitants who have
by this traffic, he feels it his duty to put a total stop to
er in future, and to prohibit the exchange of spirits or The system
uors as payment for grain, animal food, labour, wearing prohibited.
or any other commodity whatever, to all descriptions of
in the colony and its dependencies.

risoner is convicted before a Bench of Magistrates of any Penalties on
fences above stated, he shall receive a punishment of 100 conviction.
and be sentenced to hard labour for 12 months; if a settler,
servitude, pardon, or emancipation, he is to be deprived
dulgencies from the Crown, sentenced to three months'
ment, and pay a fine of £20 to the King; if a settler, who
e into the colony, and all other free inhabitants, masters,
ther descriptions of persons on board of ships or vessels,
to lose all indulgencies granted them by the Crown, and
e of £50 to the King; all which fines, on conviction,
levied by the Provost-Marshal, one moiety to be given
informer and the other to be at the disposal of the
r.

excellency has the strongest confidence, from the known Bligh
of the colony, in consequence of this pernicious barter, appeals to
officers, civil and military, will be aiding and assisting in the officers
this Order into full execution, which ultimately must tend
e the distresses of the people, and to give credit and
to the settlement at large.

1807
14 Feb. Governor finds it expedient to recommend, in the most decisive manner, that all curs and other useless dogs of every description be destroyed, a measure which he doubts not will be very generally adopted, and the more especially by the families of the poor, whose sustenance must be much diminished in order to feed them or the wretched animals left to prowl about for food, to the great annoyance of the public.

GOVERNMENT AND GENERAL ORDER.

16 Feb. Government House, Sydney, 16th February, 1807.
A supply of grain. A QUANTITY of grain being arrived* in the colony which the Commissary is ordered to purchase, it is hereby directed that the established rations of provisions will be issued on Saturday next to all descriptions of people victualled from the public stores; and all those who have been put on the stores during the time of the scarcity will then be discharged.

W. BUDGE TO ————†

17 Feb. My dear Sir, V.B., 17th February, 1807.
The case of Captain Short. I send the enclosed letters, &c., from my poor friend Captain Short for your perusal and consideration. You may, I verily believe, fully rely upon his veracity, so far as he speaks from his own knowledge; and if you can be of any service to this ingenious and worthy man, who, you will perceive, has a very large family, I shall be much obliged to you. After you have done with the letters, I intend to give Mr. Cooke the perusal of them, in order that he may see the character of Captain Bligh in its true light.

If you have any news, pray let me have a line by the bearer.

Ever yours, &c.,

W.B.

ADDRESS TO GOVERNOR BLIGH FROM NON-COMMISSIONED OFFICERS
AND PRIVATES OF THE NEW SOUTH WALES CORPS.

21 Feb. Sydney, 21st February, 1807.

May it please your Excellency,—

Address of non-commissioned officers and privates to Bligh. We, the non-commissioned officers and privates of His Majesty's New South Wales Corps, beg your Excellency's acceptance of our grateful thanks for the present augmentation of our ration, which we are aware would have long since taken place were it in your Excellency's power to have given it.

We beg leave here to assure your Excellency of our ready and determined resolution to support your Excellency in the just

* This was the grain brought from Prince of Wales Island by the General Wellesley substitute for the Sydney.

† This letter was marked "Private." There is nothing to shew to whom it was addressed

execution of the important duties attached to the high situation you hold in this colony, against the foreign and domestic enemies of His Majesty's government. 1837
21 Feb.

For the non-commissioned officers and rank and file at headquarters,—

THOMAS WHITTLE,
Sergeant-Major.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 22nd February, 1807. 22 Feb.

It is hereby ordered that a return be made immediately to the magistrates at Hawkesbury, Parramatta, and Sydney, of all persons who have arms of any description—distinguishing the different kinds of which they are in possession, and the quantity of powder, ball, or shot—which is to be registered in a book to be kept by the magistrate. Arms and ammunition

And the magistrates are hereby directed to enroll the names of all such of His Majesty's subjects as are ready and willing to defend the country against war and tumult, administering to them the oath of allegiance, as is customary on such occasions.*

OVERLAND FROM LAUNCESTON TO HOBART.†

MEMORANDA of a journey from Port Dalrymple to the River Derwent; — Feb.
by Lieut. Thomas Laycock.

On the 3rd February, 1807, I left the settlement at Launceston‡ with a party of four men and three weeks' provision each, to endeavour to penetrate thro' the country to the River Derwent. Starting from Launceston.

I travelled the first day, in a south direction, about twelve miles through a level country moderately woody and fine herbage. Crossed the South Esk, and slept on the banks of a small river now called "The Lake" which falls into the South Esk.§

On the 4th I proceeded in a so'ly direction as nearly as possible for the winding of the river for about seven miles, thro' a very low country, with very little timber on it, which, from every appearance, is at times much flooded, when finding the river took too easterly a course,|| I left its bank and went south about seven or eight miles to the foot of a large body of mountains, through a gentle rising country, well wooded, and apparently good land. Following Lake River.

On the 5th I began to ascend the mountains, and after a very fatiguing journey along the steep rocky side of them, near the summit I crossed the top and came into a gully, where I found a good spring, and stopped for Mountainous country.

* This Order was promulgated in consequence of the suspected revolt of Irish convicts—post, pp. 257, 303, and 364. See the address of settlers in reply, post, p. 257.

† A road from Hobart to Port Dalrymple was completed in 1816 under the administration of Lieutenant-Governor Sorell.

‡ Launceston was doubtless so named after the town in the county of Cornwall, England, in which Governor King was born. King divided the island into two approximately equal parts by the 42° parallel of south latitude: the northern half he named the county of Cornwall, and the southern the county of Buckinghamshire. Lord Hobart, the Secretary of State for the Colonial and War Department, after whom the town of Hobart was named, was fourth Earl of Buckinghamshire. In 1826-36 the island was divided into the counties of Devon, Dorset, Cornwall, Westmorland, Somerset, Glamorgan, Cumberland, Kent, Buckingham, Pembroke, and Monmouth.

§ It would appear from this sentence that Laycock revised—if he did not re-write—this account of his journey. It is probable that he penned it from rough notes or memory after his return to Launceston.

|| Apparently Laycock was following the Lake River after its junction with Macquarie River.

1807

— Feb.

Difficult
travelling.

the night, having walked eight or nine hours and not gained above six miles. The mountains are composed of large loose stones with fine timber, but no herbage.

On the 6th I proceeded in a south direction about three miles down the side of the mountains into a large plain. The best proof of the difficulty of our passage is that it took me more than five hours to go the three miles. I went south about 5 miles along the plane, and it appeared to be about two and a half miles wide, surrounded completely with mountains and a river winding thro' it which has since been found to have its source from the Lake and empties itself into the South Esk, where I slept the first night.* I ascended the mountains again, but they are by no means so high as those I had passed, but not less rocky and equally covered with good timber, for about four miles further in a so'ly direction, till I came to the banks of the river, where I stopped.

Lake Sorell.

On the 7th, after walking thro' very rocky hills about three miles south, I perceived a large sheet of water about half a mile to the westward of me. I went to it and discovered it to be a lake of a circular form, and, as near as I could guess, about twelve miles in circumference,† surrounded by high rocky hills, where I found myself completely thro' them, and in a fine open gentle rising country, and stopped for the night on the side of a small stream running to the westward.

The Clyde
River.

On the 8th I continued my course south for about twelve miles thro' a fine open grazing country, well watered, but the timber small, and stopped on the banks of a small river running to the westward.

A fine
grazing
country.

9th.—I still proceeded about south for near twenty-five miles, and made the river Derwent about three miles to the westward of where the salt water flows. The country I traversed this day was fine grazing land, the timber thin and small, and no water until I came near the river.

Following
the
Derwent.

On the 10th I steered E. about seven miles, leaving the river about two or three miles to the southward of me, there being a body of high mountains near it which appeared difficult to penetrate. On the side of the mountains I found a number of very fine pine trees, as far as I can judge, not having measured them, from five to six feet in diameter and upwards of one hundred feet high, when, finding the country more level, I altered my course to south, and made the river after walking about three miles, and traced its banks down about four miles further. We were unfortunate in not finding fresh water, but obliged to stop for the night. The river might be about fifty feet wide.

Herdsman's
Cove.

11th.—I proceeded down the river for about six miles to Herdsman's Cove, where I found Mr. Bates, the Judge-Advocate, who furnished me with a boat to take me to the settlement, where I arrived in the evening.

Nothing could exceed the kind attention I personally received from Lieut.-Governor Collins and all the officers at the Derwent during my stay of four days at that settlement, nor was there anything for myself or party that was not most liberally supplied for our journey back.

The return
journey.

On the 16th I left the settlement and went by water to Herdsman's Cove, from whence I steered about N., which course led me thro' a fine level country, and as the fourth day I reached the mountains about twelve miles to the n'd of the lake having travelled three days about twelve miles a day. The weather was so hot, and the country on fire, that on the third day I could not proceed at all.

The Lake
River.

On the 20th I ascended the mountains, and came to the banks of the Lake River, and traced it thro' deep chasms until it falls into a large valley between the mountains, near which place I found the mountains to be composed of a stone which had the appearance of lime. The specimen I

* Doubtless the Lake River near its source.

† Lake Sorell.

vought in proves our conjectures to be true, and that it is very fine lime-
one. I followed the course of the valley until I came out near where I
pt on the fourth, and stopped for the night.

1807

— Feb.

21st.—I retraced the country I before passed, and slept on the So. Esk,
ere the Lake River falls into it, and where I slept the first night of my
rney, and on the

22d. I arrived at Launceston about 10 o'clock in the morning.*

Arrive at
Launceston.

THOS. LAYCOCK,†

Lieut. N.S.W. Corps.

SECOND ADDRESS FROM HAWKESBURY SETTLERS.

Hawkesbury, 25th February, 1807.

25 Feb.

May it please your Excellency,

We, the holders of landed estates, public officers, and the
incipal inhabitants of the extensive settlements of the Hawkes-
ry, Portland, Richmond, and Nepean, and parts adjacent in
ew South Wales, beg leave to return our sincere thanks for
our wise and unwearied solicitude over the public welfare at all
mes, in your arduous, dignified, and important station, over such
tensive colonies, now rising again from late calamities unto
appiness and opulence, under a just, equitable, and gracious
overnment, which we, imprest with the strongest desire to sup-
ort with our lives, as also a bounden duty in all loyal subjects,
ave willingly, according to your Excellency's Order,† enrolled our
ames for the defence of the country, in which we will readily
articipate at all times of need, but sincerely hope that your
xcellency, in your wisdom, by judging from the real and pre-
umptive proofs exhibited in this country now and for many years
ast by those disaffected people, of their relentless and incorrigible
pirit of rebellion, murder, and atrocity, keeping liege subjects in
onstant alarm, that you will be graciously pleased to dispose of
he ringleaders and principals so as to prevent future conspiracy
mongst them, and to restore public tranquility, which blessing of
eace and happiness may your Excellency long continue to give
nd enjoy in your gracious government over us, is the earnest
rayer of your Excellency's devoted, &c.

Results of
Bligh's
Governor-
ship.

Volunteers.

[Signed by 546 persons.]

Thomas Arndell, James Cox, And'w Thompson, Tho's Dargen, Signatories.

Phillip Tully, Henry Trethaway, Bishop Thompson, Thomas
Hobby, G. W. Evans, William Baker, Samuel Ker, Samuel
Solomon, Jonathan Griffiths, John Westgarth, and 532 others.]

His Excellency Wm. Bligh, Esq., F.R.S.,

Captain-General and Commander-in-Chief, &c., &c.

Lieutenant Edward Lord, in his evidence before the Committee on Transportation
use of Commons, 1812), stated that the first intercourse Hobart Town had with Laun-
on was remarkable by reason of the fact that a loaded cart was drawn without the
ssity of felling a single tree. This probably does not refer to Laycock's trip, which
from Launceston to Hobart. The cart might have been sent on the return journey.
Laycock received a grant of 520 acres at Cabramatta for his services in opening up
munication between Port Dalrymple and the Derwent.

Ante, p. 255.

1807

GOVERNMENT AND GENERAL ORDER.

28 Feb.

Government House,

Sydney, 28th February, 1807.

The fisheries No ship or vessel, Colonial or otherwise, when coming laden to this country from England or the fisheries in these seas, is to proceed to any other harbour to discharge but this of Port Jackson, where, making a clear and faithful entry of the goods that are on board, if she is desirous of proceeding to any of the out-ports, a regular clearance will be granted accordingly. A breach of this Order shall subject the said ships or vessel to seizure and condemnation, on such a breach of this Order being proved before a Bench of Magistrates.

Ships in distress excepted.

Ships or vessels coming from England, through necessity touching at the Derwent, Port Dalrymple, or Norfolk Island, are not meant to be subject to this Order.

Neither are Colonial vessels, when by stress of weather forced into these out-ports, being then in their Colonial pursuits.*

REGULATIONS RESPECTING THE HEAVING-DOWN PLACE, WHICH ALL SHIPS AND VESSELS ARE TO OBSERVE.

8 March.

Government House, Sydney, 8th March, 1807.

Payment of charges.

FIRST.—The charges which follow, to be paid for heaving-down, begin on the day the ship hauls alongside the wharf and ends on the day she hauls off.

Amount of charge.

Secondly.—All ships and vessels are to pay 7½d. a day [1 per ton], if having the use of blocks and falls from Government stores for two days, and 2d. per ton per day for the remaining days of heaving down.

Thirdly.—Ships and vessels that have the use of blocks only are to pay 6d. per ton per day for two days, and 2d. per ton per day for the remainder.

Fourthly.—Ships and vessels that have not the use of blocks or falls to pay 4½d. per ton per day for two days; and 2d. per ton per day for the remainder.

Damaging tackle.

Fifthly.—If any of the falls are carried away or stranded by neglect, the damage is to be valued by two respectable men not concerned therein.

Sixthly.—The blocks, crabs, and heaving-down rings are to be taken great care of, and if any of them are damaged the ships or vessels shall make them good.

Miscellaneous Regulations.

Seventhly.—That none of the crew of the ships or vessels are to go beyond the corner of the Governor's garden paling leading to Bennelong's Point, on pain of being severely punished.

* This General Order was annulled, and that of 25th May, 1807 (post, p. 267); promulgated in its stead.

thly.—That no person or persons belonging to any of the
r vessels are permitted to throw any dirt, rubbish, ballast,
rwise that will sink, alongside the heaving-down place, on
being prosecuted.

1807

8 March.

hly.—That no masters or commanders of any ships or
are permitted to heave-down without permission in writing
irst had and obtained for that purpose from His Excellency
vernor.

VERNOR BLIGH TO THE RIGHT HON. W. WINDHAM.*

[Extracts.]

Government House, Sydney, 19th March, 1807.

19 March.

* e days after Governor King sailed, a ship called the
ly arrived from Prince of Wales's Island with wheat and
id has been a serviceable supply.† She came here in con-
ce of the Sydney being lost, the ship which Governor King
at after the inundation for rice to India, and hearing of the
ses the colony was in.

Arrival of
wheat and
rice from
the Indies.

art of this supply I have sent to the Derwent, some to Port
nple, and likewise to Norfolk Island, where also there was
sity to send some relief.

Part sent to
out-settle-
ments.

Tellicherry, another ship which sailed about the time the
r did, is also lost; so that the despatches sent by Governor
n these ships will, in all probability, be not forthcoming, and
nder it necessary he should present copies of them.

Loss of the
Tellicherry.

ve great satisfaction by informing you that our maize harvest
es to turn out tolerably well; and that the spirits of the
s are great in preparing the ground for next year's crop. In
l, we are improving, and have every hope we shall do well,
hstanding a late attempt to insurrection, which has been
ing for eighteen months past, and was to have been put into
ion the day before I arrived, but was prevented by my appear-
ff the coast, and of which Governor King had an alarm.

An encour-
aging pros-
pect.

arms have been found, or any positive overt act been com-
, our information leading only to declared plans which were
ut into execution by the Irish convicts, headed by O'Dwyer
me of the Irish state prisoners, as they are here called.

A suspected
revolt.

pears that, in order to avoid detection, they determined to rest
ccession seizing the arms of the loyal inhabitants; and in order
t this, the Irish servants of the inhabitants were on a certain
xed to massacre their respective masters, and the principal
s of the colony, and then to possess themselves of their arms.

etter was probably sent by the Star, which, according to the *Sydney Gazette*, was ready
22nd March, but would remain a short time at the fisheries before finally departing.
Bligh prefaced the letter by a remark that the conveyance was so indirect, and the
ely to be so protracted, that he would wait a more favourable opportunity before
is ordinary package of duplicates, &c. The Star sailed on 30th March, 1807.
ms of wheat and rice were purchased by Bligh from the master of the General
, at the rate of £20 per ton.

1807
19 March.
—
Collecting
evidence.

Of this determination I continued to have proofs more or less, when I determined on seizing the persons represented as the ring-leaders, and effected my purpose. O'Dwyer I have put on board the *Porpoise*. Byrn, Burke, and some others are in jail for trial, and will be brought forward as soon as our evidences are all arranged and prepared.*

Strength of
the guard.

Under this revolting principle, which has been so long nourished and continues to show itself, I must beg leave, sir, to draw your attention to the state of the New South Wales Corps, which I recommend in the strongest manner to be strengthened according to Lieutenant-Colonel Paterson's letter here inclosed, as the distribution of these soldiers are absolutely necessary to keep peace and order. . . .

Gun-car-
riages.

It will be of great advantage to have iron carriages sent out for the guns, as specified in former demands, for besides the wooden ones soon perishing, the artificers under the sentence of the law are now so few that we cannot for some time repair the public works, as they have been left to go so much to decay. . . .

The demands sent Home by the *Alexander* and *Buffalo* are very necessary, and we are particularly in want of writing paper, of which there is a great scarcity.

Inclosed are *Gazettes* from the 15th of February to the 15th instant.

I have, &c.,
W'M BLIGH.

[Enclosure.]

LIEUTENANT-COLONEL PATERSON TO GOVERNOR BLIGH.

Sir, Sydney, 16th March, 1807.

An insuffi-
cient mili-
tary guard.

Being now on the eve of my departure for Port Dalrymple, I conceive it my duty, as Commanding Officer of the New South Wales Corps, to mention to your Excellency the insufficiency of our military force in this colony as well as its dependencies, as stated in my letter dated the 14th of last February.

An augmen-
tation neces-
sary.

From the very recent alarming circumstances that have occurred here, I am confident you will see the propriety of this representation and your Excellency's recommending to His Majesty's Minister for the Colonies that an augmentation may be taken into his consideration and state the urgent necessity to His Royal Highness the Commander-in-Chief.

With respect to our numbers, I need only refer you to the monthly returns and to observe that in the event of being obliged to detach any part of the military now doing duty at head-quarters,

* Bligh reported the result of the trial of these suspects in his letter of 31st October, 1807, post, p. 363, and note. From the account given in the *Sydney Gazette* of 10th August, 1806, it is evident that at the time when the existence of the alleged plot was first suspected, the rumour was discredited, at all events by Governor King. That Bligh, however, regarded it more seriously is evident from the circumstantial account which appeared, doubtless with his approval, in the *Sydney Gazette* of 22nd February, 1807 :—"They were to have destroyed the Governor, who they supposed would be going into the country as soon as the *Buffalo* sailed, on his way to the Hawkesbury, and which was to have been the commencement of the general insurrection; the New South Wales Corps were to have been surprised; the leading gentlemen of the colony were to have been killed at the same time; the *Porpoise* and shipping were to have been seized; and a general massacre was to have taken place."

got to be two eight inch pieces (called carriage guns) at
and the same at Parramatta.

g, therefore, offered my opinion for your Excellency's
tion, I beg leave further to observe that the military
equates for the safety of this colony and its dependencies,
be as follows, viz. :—At head-quarters, 400 ; at Parra-
10 ; at the Hawkesbury, 100 ; at Port Dalrymple, 200 ;
ny troops are continued at Norfolk Island, that port,
; Newcastle, the guards at the Flagstaff and George's
0. From this statement the number required in addition
esent force will be five hundred effective men.*

I have, &c.,

W. PATERSON.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 21st March, 1807.

21 March

directed† that no person of this colony is to be at liberty
d in any ship whatever and land in India to settle there,
1 in that territory without the express approbation of the
ia Directors or Governor-General, no person is, therefore,
such indulgence but by such legal means ; and no ship
is to take men to any part thereof, but such as may be
to the conducting her thither, and approved of by the
of this colony, to whom application must be made in
, and bond given that those men shall not be landed to
ship without the consent of the Governor of that part of
ich they may arrive at. On a disobedience of this Order
is to be in full force and effect ; and the same is to be
d with respect to all passengers whatever, the master of
in which they depart from this colony being bound by
t of this bond to be conformable to the regulations of

Immigra-
tion to India
prohibited.

1807
21 March.
—
Penalty on
conviction.

food or articles that have been issued from the Government stores, whether tools or clothing. And, in case any person is detected in violating this Order, the offender or offenders shall, on conviction before a Bench of Magistrates, work in the gaol gang at hard labour for the space of six months, while the person who will be the means of bringing the offenders to justice shall receive the whole of the property so illegally bartered away.

Vessels trading to Newcastle falling under this Order shall be subject to be sent away without their lading, and disqualified from returning to the said settlement.

Any person having King's stores in their possession which they cannot legally account for will be subject to the severities of the laws of Great Britain therein provided.

ANDREW THOMPSON* TO GOVERNOR BLIGH. (Colonial Secretary's Papers.)

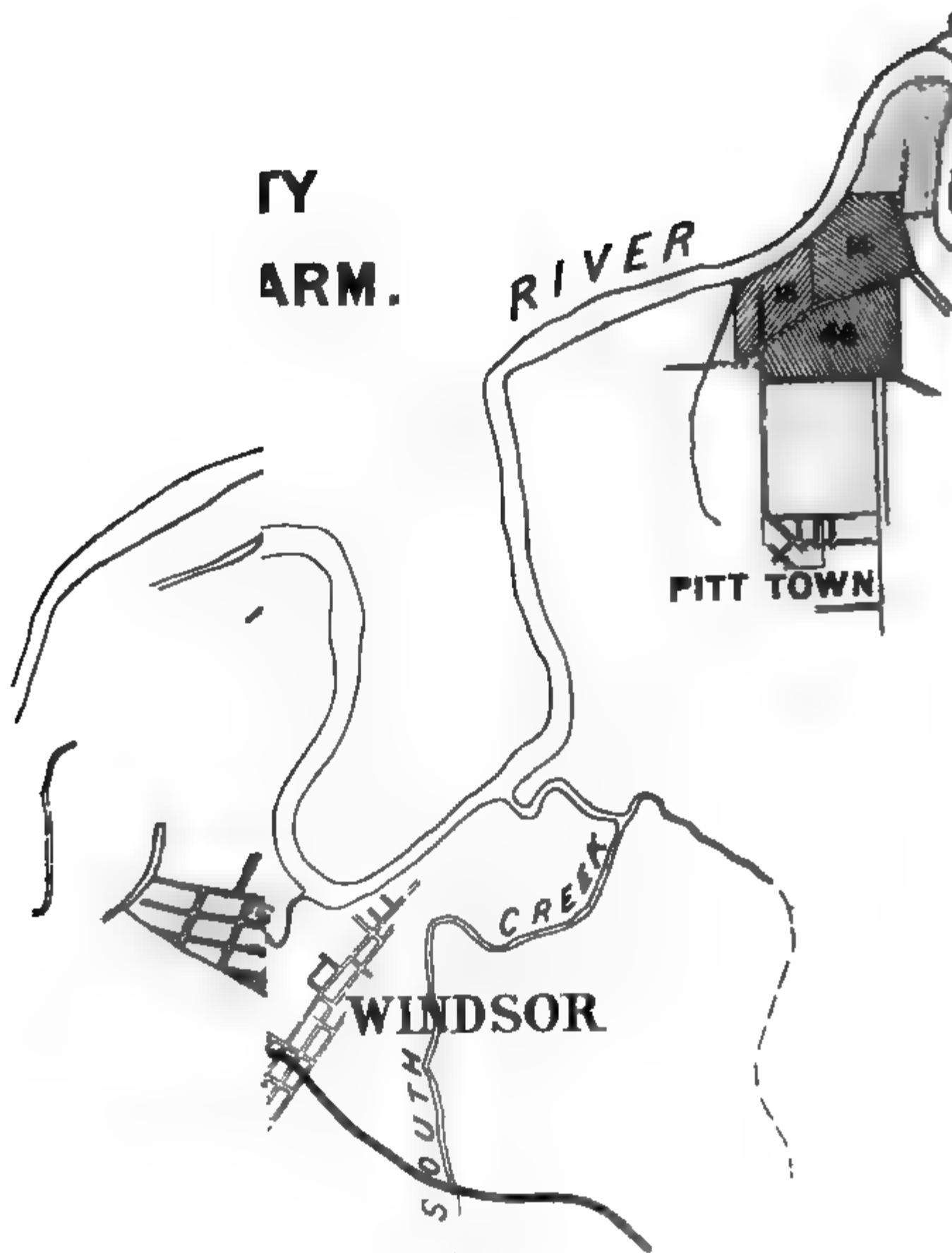
26 March.
Bligh's and
Putland's
farms.

Hawkesbury, 26th March, 1807.

I BEG leave to inform your Excellency that when Mr. Knight came up yesterday about changing the Irishmen at your farm (which shall be done), I was out with five men and an overseer at Capt'n Putland's farm, where I set them to work and fully surveyed it, and which I hope to improve to his satisfaction and interest, it being a very fine estate, but, in my humble opinion, wants a small addition of (I believe) vacant land to make it more compleat. That I will, if you please, explain when I come down to your Excellency. There also wants an adjustment of Governor

*Under the regime of Governor Macquarie, Andrew Thompson became a prosperous and influential man. In the burial ground of St. Matthew's Church of England at Windsor his tombstone can still be seen. On it is the following inscription:—"Sacred to the memory of Andrew Thompson, Esquire, Justice of the Peace, and Chief Magistrate of the District of the Hawkesbury, a native of Scotland, who, at the early age of 17 years, was sent to this country, where from the time of his arrival he distinguished himself by the most persevering and diligent attention to the commands of his superiors. By these means he raised himself to a state of respectability and affluence which enabled him to indulge the generosity of his nature in assisting his fellow-creatures in distress, more particularly in the calamitous floods of the River Hawkesbury in the years 1806 and 1807, where, at the immediate risk of life and permanent injury to his health, he exerted himself [one or two words effaced appears like 'strenuously'] during three successive days and nights in saving the lives and properties of numbers who but for him must have perished. In consequence of Mr. Thompson's good conduct, Governor Macquarie appointed him a justice of the peace. This act, which restored him to that rank in society which he had lost, made so deep an impression on his grateful heart as to induce him to bequeath to the Governor one-fourth of his fortune. This most useful and valuable man closed his earthly career on the 22nd day of October, 1810, at his house at Windsor, of which he was the principal founder, in the 37th year of his age, with the hope of eternal life. From respect and esteem for the memory of the deceased, this monument is erected by Lachlan Macquarie, Governor of New South Wales."

† This farm was situated on the right bank of the Hawkesbury River, about 1 mile in a northerly direction from Pitt Town. The accompanying sketch will serve to show the exact locality of the farm. It comprised three grants, viz., one of 110 acres to James Simpson, made by Governor King on 31st March, 1802; and two to Thomas Tyler—one of 60 acres by Governor Hunter on 1st May, 1797, and one of 110 acres by Governor King on 12th April, 1803, Nos. 14, 15, and 46. They were all purchased by Governor Bligh from the original grantees, but at what price is unknown. The remains of some of the buildings erected by Governor Bligh can still be seen. Some very fine oak trees, reputed to have been planted by Governor Bligh's daughter (Mrs. Putland), are still known, locally, as Governor Bligh's oaks. See also post, pp. 267, 270, 307, 339, and 410.



IV
ARM.

RIVER

PITT TOWN

CREEK

WINDSOR

SOUTH

King's boundary, as his overseer, contrary to the opinion of the **other** men there, claims a very eligible space of land on Capt'n **Putland's** lower side line, which can, however, be easily decided by **James Main,*** who measured both farms. 1807
28 March.

I hope your Excellency will be pleased to observe by the inclosed A profitable
experiment. returns that every attention is paid to your own estate, which, in improvement and produce, will, I am certain, give your Excellency every satisfaction and profit that can be expected from it; and more so, in my humble opinion, should you be pleased to approve of some further plans which I will take the liberty of waiting on your Excellency shortly to explain; and, with due submission to your Excellency's great wisdom and attention to farming and improvement, which the Sovereign was pleased to practice at Home, might not be unworthy of his grand representative here, as an example for all others, exciting them to that in which the riches and prosperity of states much depend. Craving your Excellency's pardon for this liberty and digression, I beg leave, with all due respect, to subscribe myself, sir,

Your Excellency's, &c.,

AND'W THOMPSON.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 5th April, 1807.

5 April.

ALL masters of ships or vessels are hereby forbid embarking from this colony any natives of the South Sea for Great Britain. South Sea
Islanders.

And in case any ship arrives at this colony and its dependencies from the South Seas, and shall bring any natives of the islands therein, then the said master or owners shall be answerable for the maintenance of such natives until an opportunity offers of sending them back from whence they came, which they are hereby bound to perform under a penalty of £20 for each person, besides the maintenance of those who may be kept here contrary to this Regulation. Liabilities of
ship-owners.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 7th April, 1807.

7 April.

WHEREAS by the Government and General Order of the 18th of June, 1805, His Excellency the Governor-in-Chief was pleased to suspend the sentence of the General Court-Martial passed on Mr. Savage, Assistant Surgeon to this territory, holding a military commission, until His Majesty's pleasure should be received thereon; and in consequence of the said sentence to suspend him from his duties as Assistant Surgeon to this territory, the proceedings of the said General Court-Martial finding him guilty of "neglect of duty in not attending the wife of Edward McDonald, settler at Kissing Point, when in labour, although solicited by the husband The Court-
Martial on
Assistant-
Surgeon
Savage.

* Probably meant for the surveyor, James Meehan.

1807 in the most pressing manner," and was adjudged to be
 7 April. having been laid before the King, a letter from the Judge
 General to His Excellency the Governor, dated the 24th
 1806,* communicates His Majesty's pleasure as follows

The verdict reversed. "I am to acquaint you that His Majesty, having fully
 the whole of the proceedings, has not thought fit to c
 sentence, the case proved not being a military offence
 Mutiny Act or Articles of War ; and His Majesty is
 direct that Assistant Surgeon Savage be released from
 and restored to the functions of his commission, which
 signified to Mr. Savage, who is in England."†

LIEUTENANT-COLONEL PATERSON TO UNDER SECRETARY
 SULLIVAN.‡

21 April. My dear Sir, Yorkton, Port Dalrymple, 21st Apr

Paterson's return to Port Dalrymple. After a long stay at Port Jackson, I returned here
 my little charge on the 2nd inst., and am happy to find
 found the colony in a more comfortable state than I had
 expect, knowing when I left it that they had not more prov
 with the utmost œconomy would last longer than to last
 farthest. This circumstance occasioned me much uneasiness
 my residence at Sydney. I was, however, determined not to
 place until I received a small supply, and, fortunately, by
 of the ship General Welsley with rice from Prince of Wales
 I was furnished with about as much as will last us four

Scarcity of food. From last Jan'y the colony have existed entirely
 precarious chance of the chase, and kangaroo was the
 they depended on. In consequence labour stood still
 inhabitants became a set of wood-rangers ; and I much fea
 be some time before they are brought to the industrious
 which an infant settlement require ; but I am sorry to say
 we are regularly supplied with provisions and stores, as
 means of cultivating our ground, it will be a continual
 Government, and the people starving one half of the year
 tion this on purpose that our supplies may be sent direct
 land, as recommended by *our late Governor*, as the intercom
 Port Jackson is very uncertain at least for six months
 and the scanty supplies of everything we receive from there
 are very inadequate to the comforts of the few I have with me
 therefore, hope that you and every person interested in our
 will impress on the minds of those who may be at the head

Supplies should be sent direct from England.

* Ante, p. 70.

† On 31st December, 1807 (post, p. 402), Viscount Castlereagh informed Governor
 Assistant-Surgeon Savage would not return to the colony in consequence
 position under the East India Company.

‡ A private letter, in Paterson's own handwriting. See also Paterson to
 August, 1807, post, p. 280.

for the colonies, the urgent necessity of adopting such measures as 1807
 may enable me to prosecute with credit to myself and consequently 21 April.
 to the advantage of Government the interests of this settlement.

With respect to settlers coming from England to this country, The right
 I would recommend only those who are practical farmers, and class of
 with property to commence their operations in husbandry with settlers.
 vigour. Such descriptions of people, with common attention, would
 soon make themselves very comfortable, and be the means of
 supplying Government with grain as well as animal food; unfor-
 tunately, with a very few exceptions, they have been the reverse.
 People who had never been accustomed to labour or brought up
 as farmers, but in general idle, worthless, characters, who when they
 have received every indulgence they expect from Government, they
 abandon their farms and become a burthen on the public.

During my stay at Port Jackson an insurrection was on the The
 point of breaking out, and if the principals had not been appre- rumoured
 hended the consequences must have occasioned much confusion in rebellion
 the colony. At that time His Excellency the Governor communi- and the mili-
 cated with me how far my opinion (*sic*) respecting the defenceless tary forces.
 state of the colony, as well as its dependencies, and requested I
 would write officially on the subject. A copy of my letters to him
 I have the pleasure to enclose,* which he had forwarded to the
 Secretary of State and also to the Commander-in-Chief for their
 consideration, which I hope will merit their notice. Should such
 be the case, I beg to solicit your kind offices on the occasion.
 After what I wrote in my former letter by the Alexander (Capt.
 Brooks), I am sure it is unnecessary to say any more on this head,
 as I entirely trust to my friends.

I have written to my friend, Sir Joseph Banks, on the same Overland
 subject, and by the same conveyance have informed him of our from Port
 having discovered a passage by land to Colonel Collins's settle- Dalrymple
 ment on the Derwent.† The journey can be performed with ease to Hobart
 in five days. There is a lake five miles in circumference about Town.
 half-way.‡ I have had the surveyor of lands there, who describes
 it to be without any line of demarcation. The Governor has
 allowed him to accompany me for the purpose of making a com-
 plete survey of the county of Cornwall. When he has finished I
 shall communicate the result of his observations, and if my health
 permits, I shall have a look at the lake myself in the course of
 next summer, which will enable me to form my own opinion.

I mentioned to you in my last letter that I never have had the Paterson's
 smallest advantage arising from my public situation. Perhaps I financial
 could not expect it from our late Governor, notwithstanding much affairs and
 profession of friendship, except on a removal of my house and his failing
 health.

* See Paterson's letter to Bligh of date 16th March, 1807, enclosed in Bligh's letter to Findham of 19th Idem, ante, p. 260.

† See Lieutenant Laycock's account of his journey overland from Launceston to Hobart—
 ita, p. 255.

‡ Lake Sorell.

1807
21 April. garden at Sydney, which has cost me more than it is worth to keep it in repair, and nothing but a grant of it will ever pay my expences. In case of any accident happening to myself, Governor Bligh has ordered one thousand acres of land to be granted to Mrs. Paterson in this country. That, with the grant of my house in Sydney, if it can be procured, is all I have a prospect of leaving her, and my health is such as not to promise long life in this climate, considering the fatigues I must necessarily undergo. Should it be in your power to procure me this favor, permit me to beg your accustomed friendly assistance, as the accomplishment of the object is of much moment to me, and will add greatly to my satisfaction in the event I must now anticipate.

Paterson's
influential
friends.

I should have written to my friends, Sir John Hipperley and Colonel Fullarton and others ; but I hope they will not consider it a neglect, for want of time is really the case, as the vessel sails to-day. However, I am certain their aid and interest will not be wanting on this occasion, that should an augmentation take place, I certainly, from my long services in this country, have a claim to the command.

I must now apologise for this intrusion, and request my respects to Lady Sullivan and your family, also to Sir Richard General Forbes.

Believe me to be, &c.,

W. PATERSON.

GOVERNMENT AND GENERAL ORDER.

2 May.

Government House, Sydney, 2nd May, 1807.

John Harris
superseded.

HIS Excellency having thought proper to dispense with the services of John Harris, Esq., as a magistrate and Naval Officer, is pleased to appoint Robert Campbell, Esq., to fill those stations.

ASSISTANT-SURGEON CONNALLON'S COMMISSION.

24 May.

GEORGE R.

Assistant-
Surgeon
Connallan.

GEORGE the Third by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c. To our trusty and well-beloved John Connallan, gentleman, greeting : We do by these presents constitute and appoint you to be assistant-surgeon in our settlement of New South Wales. You are therefore carefully and diligently to discharge the duty of assistant-surgeon by doing and performing all and all manner of things thereunto belonging ; and you are to observe and follow such orders and directions from time to time as you shall receive from our Governor of New South Wales, or any other your superior officer.

Given at Our Court at St. James's, the twenty-fourth day of May, 1807, in the forty-seventh year of our reign.

By His Majesty's command.

CASTLEREAGH.

GOVERNMENT AND GENERAL ORDER.

1807

Government House, 25th May, 1807.

25 May.

THE General Order of 1st March last* is annulled, and the following to be instead :—

No ship or vessel, Colonial or otherwise, when coming laden to this country from England or the fisheries, is to discharge her cargo in any harbour but this of Port Jackson, except such ships or vessels as may be ordered by Government, or permitted by His Excellency the Governor-in-Chief of this colony, to discharge at the Derwent, Port Dalrymple, or Norfolk Island, unless the wants of the out-settlements require the Gov'r, Lieut.-Gov'r, or Commandants to act contrary to this Order, of which the Gov'r-in-Chief is to be acquainted, and the same is to be understood with respect to foreign ships. Shipping Regulations.

On any ship making a clear and faithful entry at this port of the goods that are on board, if she is desirous of proceeding to any of the out-ports, a regular clearance will be granted accordingly. Entries and clearances.

A breach of this Order will subject the said ship or vessel to seizure and condemnation, on such breach being proved before a Bench of Magistrates.

The following is what is to be considered and issued as the established ration to Government servants in New South Wales and its dependencies, to be lessened according to circumstances, as the Governor, Lieut.-Gov'rs, or Comm'dts, may deem proper :— The weekly ration.

10 lb. of wheat, or 8 lb. of flour.

3 lb. of maize, or 3 pints of pease.

7 lb. of beef, or 4 lb. of pork.

6 oz. of sugar, or 1 lb. of rice.

NOTE.—In case one is issued in lieu of another, 8 lb. of rice is equal to 8 lb. of flour, or 10 lb. of wheat ; $\frac{1}{2}$ lb. of rice is equal to 1 lb. of oatmeal ; 2 lb. of maize is equal to 1 lb. of wheat ; 1 lb. of rice, or 1 lb. of flour, or 2 lb. of maize, is equal to 6 oz. of sugar.

ANDREW THOMPSON TO GOVERNOR BLIGH. (Colonial Secretary's Papers.)

Sir,

Hawkesbury, 27th May, 1807.

27 May.

Inclosed is returns of stock and labour at your Excellency's farm up to the end of last week.† Everything is going on well, and there is now, with the addition of a little new cultivated ground, upwards of eighteen acres sowed with wheat which looks very well. There will be a very great increase of swine shortly, considering there was only six to breed from ; but would be very Bligh's farm.
Swine.

* See the General Order of 28th February, 1807, ante, p. 258, which was published in the *Sydney Gazette* of 1st March, 1807.

† The enclosure is not available. See, however, the statement of land, stock, &c., given by Thompson in December, 1807, post, p. 390. Other letters of Thompson will be found on p. 262, ante, and pp. 270, 307, and 410 post.

First-fruits.

promote your Excellency's wishes and real interest in every
of which I hope in due time to give the fullest proofs,
took the liberty of sending one hundred and twelve doll
ls. the price of 93½ bushels of nett maize @ 6s. per bushel
put in store to my name, in a little box with the vouché
not telling the bearer what he carried, as the love of
however trifling often excites speculation in this country.

Seed time.

your Excellency will pardon at this moment my not wa
you, being very busy with sowing the wheat seed afte
seasonable rains as well as the people in general up b
season being far advanced and the labour much retarded
former dry weather; but now, bless God and your Exc
gracious governance, there is every happy appearance of e
and ample crops of wheat for the ensuing season.

Thompson
charged
with
distilling.

I am gratefully thankful to your Excellency for your jus
goodness respecting the insinuations made against my cl
in telling you that I was then concerned in distilling, t
I again beg leave to pledge my life and property is false,
any person in existence to prove that I ever spoke c
against your Excellency's order on this head since the
was published up to the present moment. But your Ex
is or will no doubt be convinced that the slander of this
would deprive you of the services of honest men if you
lency's just wisdom and penetration did not countera
destructive plans.

I beg leave, with all due respect, to subscribe myself, si

Your Excellency's, &c.

AND'W THOM

ROBERT BROWN TO SIR JOSEPH BANKS.

examination, with their general arrangement as far as the state of his knowledge at the time permitted, occupied about four months.

From the collection so dispos'd he proceeded, in conjunction with Mr. Dryander,* from whose extensive knowledge he has deriv'd the greatest assistance, to select specimens for the public collection.

In this part of his employment, to which two days in the week have been allotted, he has already gone thro' the first eight classes of the Linnean System,† exclusive of grasses, and with the addition of the class *Gynandria*.

The former tribe‡ he has postpon'd from their being least liable to suffer by being kept for a considerable time, and the latter§ he has been induc'd to anticipate from the extremely perishable nature of the specimens.

The remainder of his time he has been occupied in re-examining the species, in completing his description, in ascertaining synonyma where necessary, and, lastly, by the examination of plants already publish'd belonging to the same natural orders, in endeavouring to establish the character and ascertain the affinities of such in his collection as appear'd to him to constitute new genera. This part—by far the most difficult and tedious part of his employment—has hitherto greatly retarded his progress; but it is conceiv'd that the importance of such investigations will in a great measure compensate for the time they necessarily occupy, and it is suppos'd that in the subsequent parts of the undertaking they will gradually become less and less necessary.

In this final examination he has completed the four first classes, with the exception stated above, a small part of *Pentandria* and the whole of *Gynandria*.

The number of new genera in this part of the collection amounts to 40, of new species to 546, and the whole number of species to 688.

Of the 142 species already publish'd, by far the greater part are known only as natives of New Holland, a few are also Indian plants, and not more than six species are natives of Europe.||

The number of species applicable to useful purposes is indeed extremely small, very few of the forest trees being comprehended in this part of the arrangement; and hardly any of the shrubs or herbaceous plants affording, as far as is yet known, any product likely to be useful in medicine or the arts.¶

* See vol. iv. p. 773 (note).

† The Linnean system of classification of plants was in vogue in Brown's time, and is now known as the "Artificial System," in contradistinction to the "Natural System," which prevails at the present day. The class of *Gynandria* is No. 20, and includes orchids, principally (see Kerner and Oliver's *Natural History of Plants*, vol. ii, p. 290). This explains why he started to work on these "from the extremely perishable nature of the specimens."

‡ The grasses. § *Gynandria*.

¶ Very many species of Australian plants are endemic. A number are found also in India and the Malay Archipelago, most of which are Queensland and North Australian plants. In both places Brown assiduously collected.

¶ Brown's surmise has been very largely verified. Very few of our herbaceous plants afford any product likely to be useful in medicine or the arts. At the same time, increased industry has recently been shown in investigating such plants for economic properties, and many new uses may yet be made.

1807

18 June.

Examining
plants.Re-examina-
tion.New genera
and species.Useful
plants.

1807
18 June.
—
Botanical
novelties.

The interesting novelties to the botanist are, however, numerous and are chiefly contain'd in the natural order of *Proteac Rubraceæ*, *Campanulaceæ*, and *Orchideæ*, each of which afforded several new genera and many new species remarkable for their beauty or interesting from singularities in structure, and indication of new affinities among orders and genera already known.

MACARTHUR'S SHIP AND THE RUNAWAY.*

Public Notice.

27th June, 1807

27 June.
An
absconding
convict.

WHEREAS J—— H——, a convict for life, has absented himself from the gang in which he was employed at Sydney, and is supposed to have left this colony in a vessel called the *Parramatta*; these are to direct and require all persons who can give information respecting the said J—— H—— having absconded in the vessel aforesaid, to give the earliest intelligence to the Judge-Advocate in failure whereof they will subject themselves to be considered and will be prosecuted as aiding and assisting the said J—— H—— to escape as aforesaid from this his place of confinement, to which he was sentenced by law. And if the said J—— H—— shall be in this colony, all manner of persons are strictly charged to deliver him up to the civil power, on pain of being prosecuted for harbouring or concealing the said convict; and any person delivering him up as aforesaid shall receive a reward of guineas.

By command of His Excellency,

R'D ATKINS,

Judge-Advocate

ANDREW THOMPSON TO GOVERNOR BLIGH. (Colonial Secretaries' Papers.)

30 June.
Sheep for
Bligh's farm.

Sir,

Hawkesbury, 30th June, 1807

I take the liberty to inform your Excellency that Jamieson† spoke to me at Parramatta about getting your Excellency's sheep up here with their last lambs before they year again, saying it might not, perhaps, appear so well to have the number trebled in the Government flock. And if your Excellency pleases to send up the sheep left at Government House, in Sydney, by the bearer, to Gov't flock at Toongabby, Mr. Jamieson will then give me your Excellency's full number of good sheep and their year's lambs, where I will attend to receive and see them safely brought out to your Excellency's farm, and every care shall be taken of them with all of your Excellency's stock and concerns up here by, &c.,

Your Excellency's truly devoted, &c.,

AND'W THOMPSON.

* See Macarthur to King, 10th June, 1806, ante, p. 92; and the affidavit of James Bligh printed in foot-note on p. 609, post; cf. also the proceedings at the trial of Macarthur, p. 465 et seq. † The Superintendent of Government Stock—not the Surgeon.

‡ See also ante, pp. 262, 267; and post, pp. 307, 389, 410, and 450.

RETURNING RETURNS.

Report of Ships and Vessels entered Inwards at the port of Port Jackson, in His Majesty's colony of New South Wales, from the 1st of January to the 30th June, 1807.

When entered.	Name of the Ship.	Master.	Built.	Number of			Registered.	Names of the Owners.	From whence.
				Male.	Female.	Infants.			
1807.									
13 Feb.	General Wellesley	D'd Dalrymple	Foreign ..	400	15	50	Madras	De'd Dalrymple & Co.	Pulo Penang.
9 Mar	Dart	Rich'd Smith	"	180	8	18	London	Hullett & Co.	London.
18 "	Hope	Reuben Bromley	American ..	171	26	Connecticut ..	New York	Fanning & Co.	New York.
4 April	Parramatta	John Glenn	Foreign ..	102	8	.....	London	Hullett & Co.	London.
4 "	Brothers ..	Oliver Russell	"	252	21	.....	" .....	Hullett & Blackland	"
6 "	Duchess of York ..	Austin Forrest	Plantation	192	14	25	Calcutta	Campbell & Hook	Calcutta.
6 "	Hannah and Sally	Nath'l Cogswell	American ..	157	11	Dennis Creek ..	Philadelphia ..	Nathaniel Cogswell	Rio Janeiro.
8 "	Elizabeth	E. Bunker	Foreign ..	238	2	17	London	Campbell & Wilson	The Fishery, of New Zealand.
8 "	Commerces	James Birnie	Plantation	225	2	53	"	James Birnie	Penantipodes.
14 May	Albion	Cuth't Richardson	British ..	802	10	30	"	Wilson, Campbell, & Page	The Fishery, of New Zealand.
22 June	Sydney Cove	Wm. Edwards	Foreign ..	882	8	52	"	Thos. Wm. Plummer	London.

ROBT CAMPBELL, Naval Officer.

1807
30 June.
Ships entered inwards at Port Jackson.

CAPTAIN FLINDERS TO SIR JOSEPH BANKS. (Banks Papers.)

1807

Wilhelms Plains, in the Isle of France,

1 July.

Sir,

1st July, 1807.

A fortnight since I had the pleasure of receiving letters from England by the way of America, from which I learn, as well from the public papers, that you, Sir Joseph, were in health. My letters informed me that Captain Milius* had been permitted to return to France upon condition of endeavouring to obtain from the French Emperor, through the National Institute, a permission for me to return to England; but a vessel which sailed from France at least six months afterwards has arrived here with despatches for the Captain-General without bringing any order relating to me. I am extremely apprehensive that the French Government leave me *designedly* in this state of neglect, and that there is no intention but to keep me here so long as the war lasts—at least, if a formal demand for the liberation of my papers, my vessel, and myself, is not made by His Majesty's ministers. Why, or with what view, such an intention should be formed, except from the antipathy that seems to prevail with them against everything English, I am unable to divine. Doubtless they have been misled with respect to me by the false interpretations of General De Caen.

Return of
Captain
Milius.

Flinders
still
detained.

Seeing that I have little or no hope left, I despatch my remaining books and papers of most value, including the Endeavour's log-book, and the books presented by me to Major Rennell,† by a faithful, trusty man, John Elder, who has remained with me all this time, and for whom I have obtained leave to quit the island. After getting back my parole, I shall then be at liberty to embrace any occasion that may offer of making my escape; and, notwithstanding the regret I have to leave behind me the books and papers which are still kept by General De Caen, I shall most probably be obliged to attempt it, since all hopes of liberty from any other quarter seem to fail me. In case of miscarriage by one of the Americans which are frequently sailing from the place, I have written to Sir Edward Pellew in India, and as I have many friends here, hope, some way or other, to succeed before December next.

The log of
the
Endeavour.

Flinders
meditates
an escape.

There is a literary society formed in this island called the Society of Emulation. Their acting committee, some time since, wrote a letter to the National Institute of Paris, pressing forcibly on its leading members my unjust sufferings, and praying them,

French
advocates
for his
release.

Captain Milius, in command of the French frigate Didon, was defeated and taken prisoner by Captain Thomas Baker in the Phoenix on the 10th August, 1805. He was released in June, 1806.

Major James Rennell, the celebrated geographer. An interesting biography of Rennell recently been published in the *Century Science Series* (1895) by the President of the Royal Geographical Society, who proclaims him to be the "greatest geographer that Great Britain has yet produced.

1807
1 July. in the name of humanity and the sciences, to use their utmost efforts to obtain for me an honorable release, or at least that I should be sent to France for examination. A copy of this letter will probably have been shown you, Sir Joseph, by Governor King, to whom I enclosed a copy of it.* In acknowledgment of their kindness, I have written to the society a letter of ten pages, describing Wreck Reef, and giving my opinion upon the loss of the much-regretted *La Pérouse*. I have received a flattering letter of thanks from the Secretary, and a request to continue my correspondence.

Flinders and
Bligh.

On 23rd March last I wrote a letter to Governor Bligh, at Port Jackson, giving him a comparison between my observations and his in Torres Strait, and enclosing a paper which describes the manner of preparing maize for the table in the Isle of France. I thought this would be useful to his colonists, and I hope the letter will convince His Excellency of the respect I entertain for his talents and services in nautical science; and perhaps he will see the injustice of considering me with an unfavourable eye.†

Books and
papers.

The charts of the north coast of Australia, upon large scales; the second volume of my log-book, completed as far as I had materials; and a general account of the Investigator's voyage up to the commencement of my survey at Cape Leuwen, are the papers I have addressed to the Admiralty, with an accompanying letter. I shall also write to Mr. Dalrymple upon the subject. All the other books and papers I have ordered to remain with my agent, Mr. W. A. Standert, of Norfolk-street, until my return; but if death, or eternal imprisonment, should prevent my arrival, the Endeavour's log-book, which you had the goodness to lend me, will be found there.

With the anxious hope that this letter may find my patron and friend in good health, and that I may sometime have the same happiness.

I remain, &c.,
MATT'W FLINDERS.

LIEUTENANT-COLONEL FOVEAUX TO UNDER-SECRETARY COOKE.

9 July.

Sir,

London, 9th July, 1807.

As the ship in which I have taken my passage is expected to leave the river in about a fortnight, I beg leave to repeat my earnest request that I may receive the necessary instructions relative to Norfolk Island.

* See Flinders to King, 3rd July, 1806, ante, p. 106. The letter referred to was printed by Flinders in his *Voyage to Terra Australis*, vol. ii, p. 447.

† From this, and Flinders's remarks in his letter to Banks, 8th December, 1806, ante, p. 207, it is evident that Bligh and Flinders were not on very good terms.

In the beginning of last year my salary as Lieut't Governor was raised to £450 a year. On my application to Mr. Chinnery I was informed that he had not been authorised to issue my pay at that rate. I therefore request, now that Mr. Chapman is in town, who is acquainted with the circumstances, that you will be so obliging as to give the necessary official orders to Mr. Chinnery to issue my proportion of pay accordingly to the present date.

I have, &c.,

J. FOVEAUX.

1807

9 July.

GOVERNMENT AND GENERAL ORDER.

20th July, 1807.

20 July.

THE masters and crews of all vessels resorting to Newcastle are hereby directed never to sleep out of their vessels but by permission in writing from the Commandant of that place.

Port Regulations to be observed at Newcastle.

They are to be on board at 8 o'clock at night, or when the bell rings.

They are not to be on shore at any time of the day unless on duty, or by permission of the Commandant.

The centinel at the wharf to detain all masters and any of the crew who are observed to be transgressing this Order, and the constables and others are to be aiding in the execution of so necessary a duty.

Harbouring or inducing any person to act contrary to these Orders will be punished according to the direction of the Commandant, by depriving the offenders of all indulgences, sending the vessels from the port, putting the offenders to public labour for three months, or giving a corporal punishment of 25 lashes.

GOVERNMENT AND GENERAL ORDER.

Government House, Sydney, 23rd July, 1807.

23 July.

WHEREAS His Excellency Gov'r Phillip did, by instructions from His Majesty's Ministers, draw two lines of demarcation in the vicinity of Sydney within which no leases or grants of land for building were to be given, the said land being the property of the Crown; and whereas a number of houses adjacent to Government House, to its great annoyance, now occupied by David Dickinson Mann, Abraham Ramsden, John Apsey, William Kimber, John Shea, Ferdinand Meurant, and others,* within the said limits, have

Crown reserves and leases in the city of Sydney.

* On the plan of Sydney, prepared by Meehan in October, 1807 (post, p. 366), only one of these names appear, viz., that of D. D. Mann. The ground he occupied was at the rear of the old Government House. It was situated slightly to the north of the spot where Bligh-street runs into Bent-street—near the site on which the "Hotel Métropole" now stands. Cf. Bligh to Windham, 31st October, 1807, post, p. 359. According to the evidence of Lieutenant Minchin—*Trial of Lieutenant-Colonel Johnston*, London, 1811, p. 205—Meurant's house was within the line marked out by Governor Phillip, and stood at the back of Government House. It is probable that some, if not all, of the other houses were contiguous to it. See Harris to Mrs. King, 25th October, 1807, post, p. 347.

1807
23 July.
—
Notice to
quit.

been built on land particularly marked out as making part of the Domain of the Governor's residence, the Governor is pleased to extend the notice already given to the first day of November next, at which time they, the present occupiers, are required and directed to quit possession of the said houses, taking away or disposing of their materials, the said grounds being wanted for Government purposes.

His Excellency the Gov'r is ready, on application to that effect, to grant permission to the said persons to build on such other ground unoccupied in the town of Sydney as may not interfere with his arrangements on that head.

GOVERNMENT AND GENERAL ORDER.

23rd July, 1807.

Wentworth
reprimanded.

THE General Court-Martial which has been held for the trial of Mr. Darcy Wentworth, Assistant Surgeon to the colony, having found him guilty of the offences with which he was charged—viz., disobedience of Captain Abbott, the commander of the troops at Parramatta's orders (and Chief Magistrate there), on the seventh instant—adjudged him to be publicly reprimanded in such manner as His Excellency the Commander-in-Chief might deem proper, His Excellency does hereby approve of the sentence of the said Court-Martial, and directs Major Johnston, at the head of the troops on the parade, to call the said Mr. Darcy Wentworth forth, and express to him His Excellency's high displeasure and indignation at his conduct, and that he is hereby publicly reprimanded accordingly.

THE BISHOP OF DERRY TO THE ARCHBISHOP OF CANTERBURY.

5 Aug.

My Lord,

Londonderry, 5th August, 1807.

The Rev.
Henry
Fulton.

I take the liberty of enclosing a letter to your Grace which I lately received from Port Jackson. The writer of it was for some time a beneficed clergyman in the diocese of Killaloe. He owed his situation to me for his exemplary conduct as a clergyman. That situation, however, he forfeited by connecting himself with the disaffected in the year '98. He confessed his crime, and agreed to transport himself for life to Botany Bay.*

Since that time I have not heard of him till I received his letter, except that his friends declared that his confession was extorted by fear of a species of torture at that time too common.

* The opening lines of Fulton's letter, which the Bishop of Derry enclosed with the above, would seem to point to Fulton having been sent out as a convict. Had he arrived as a voluntary exile, there would have been no need to conditionally emancipate him. Governor Macquarie gave Fulton a very high character. He described him as being zealous in the discharge of the several important duties he had to fulfil, and a useful and respectable member of society.

I shall not presume to request your Grace's agreeing to his request; but from my opinion of him prior to the transaction which caus'd his banishment from Ireland, I would almost venture to pledge myself [for] his future conduct. He is a very well-informed man, and had been peculiarly zealous in the discharge of his duties as a clergyman. I have, &c., W'M DERRY. 1807
5 Aug.
—
A well-informed and zealous clergyman.

[Enclosure.]

REV. HENRY FULTON TO THE BISHOP OF DERRY.

My Lord, Sydney, Port Jackson, 1st September, 1806.

Ten months after my arrival at Port Jackson Governor King gave me a conditional emancipation, and afterwards employed me for some [time] as assistant chaplain to this part of the colony, then sent me to Norfolk Island where I performed the duties of chaplain. For this he some years gave me bills on His Majesty's Treasury for 5s. per day, some years 7s. 6d., and one year £96 for the year. He this year gave me a free pardon for what he was pleased to call my exemplary behaviour as a Protestant clergyman. He has ordered me to Port Jackson this year to do the duties of the Principal Chaplain who goes to England along with him, for he is relieved by Governor W'm Bligh. I have no commission as assistant chaplain, and therefore may be superseded. If your Lordship would procure this commission for me by an application to His Grace of Canterbury it would add to the many great favours which I have received from your Lordship. I am emboldened to ask this favour from your Lordship by my experience of your Lordship's goodness, and the many remarkable instances of attention which I received from your Lordship. Your Lordship is the only person to whom I ever applied myself on this subject. I do not know what my friends may have done. I ought to have mentioned that the Governor drew on the Treasury for £182 10s. one year, or at the rate of 10s. per day. Whether your Lordship will comply with this request or not, be assured that at this time the least mark of your Lordship's attention would be considered as one of the happiest occurrences in my life,—Your Lordship's often obliged, and very humble son and servant, Fulton emancipated
and finally pardoned.
Asks for official appointment.
His stipend.

HENRY FULTON.

MESSRS. LORD AND CO. TO GOVERNOR BLIGH.

May it please your Excellency,—

Sir,

Sydney, 10th August, 1807.

10 Aug.

We beg leave to represent to your Excellency that we this morning received an intimation from the Naval Officer's clerk, informing us that you would not permit any vessel to go alongside another in the cove, and that the Commerce must discharge her cargo by boats, and that some person must be on board to see her discharged; the orphan and wharfinger fees to be paid. An order from Bligh.

The custom
at London.

The cargo
of the
Commerce.

to your Excel'y's consideration the great loss and inconvenience we shall sustain if the two vessels are not permitted to be alongside of each other, as if we are obliged to unload the merchandise by boats, it will be not only a great expense to us, but be the means of exposing the cargo to much damage, the vessel being of a larger size than any boats that we have can presently carry. It has always been the custom in London when an officer from the Custom House is on board a vessel to allow the owner of her to unload her in the most convenient and least expensive method to himself, and we therefore trust you will not put us to so much expense and risk in removing the cargo by boats. With respect to the fees, they have once been paid, and if they are exacted a second time we must pay it, and inquire into the right of demand hereafter; but as the master of the vessel the Commerce has given us to understand that the cargo is in a very damaging state, and that delay in removing will be of considerable injury to it, we request your Excel'y will take the trouble to signify to us your pleasure whether the Commerce should be hauled alongside the Sydney Cove or not, and also to order some person may attend to see the cargo delivered from one vessel to the other under any regulation your Excel'y may direct. I beg leave to mention to your Excel'y that we want a few barrels of the oil for our consumption here, and will be much obliged if your mission is granted for such casks to be landed as we may require on the usual entry.*

We have, &c.,

S. LORD AN.

* In the *Sydney Gazette* of 16th August, 1807, the following paragraph appeared: "On Tuesday (11th August) a Bench of Magistrates was convened for the purpose of considering a letter on the evening before addressed to His Excellency the Governor by Messrs. Lord, Kable, and Underwood, which was couched in improper terms, derogatory to His Excellency's high rank and authority. The Bench afterwards

GRAIN AND LIVE STOCK.

279

Governor Bligh, between the 17th and 27th of August, 1807, showing the increase and decrease since of August, 1806.

To whom belonging.	Number of acres in—										Horned Cattle.		Sheep.		Goats.		Swine.		Bushels in hand of			Number of Settlers.		
	Wheat.	Malze.	Barley.	Oats.	Beans and Peas.	Potatoes.	Orchard & Garden.	Fallow.	Pastures.	Total num-ber held.	Male.		Female.		Male.		Female.		Wheat.	Malze.	Barley.			
											Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.						
The Crown ..	161	256	114	41	..	100	..	6614	80615	933094	23	14	1507	1826	345	539	..	..	84	2543	7049	80814	..
Military Officers, &c.	484	71	8	..	..	104	204	13224	19597	210681	57	72	279	376	2057	5276	12	20	73	370	1645	8	..
Civil Officers, &c. .	4034	72	68	124	64	154	424	1612	139444	16077	48	90	338	596	1352	1982	941	63	166	1263	2897	407	..	
Settlers ..	60824	45274	7794	1124	175	2084	4134	48564	449224	610351	159	210	567	984	4005	9558	587	1375	3762	5170	52845	280	..	
Individuals not hold- ing land.	..	..	..	..	..	..	..	..	..	..	22	15	39	47	58	338	63	268	511	1570	4136	54	..
Total in August, 1807 68864	49264	987	123	1814	3914	484	78524	150279	180868	239	401	2314	3929	8475	10785	1603	1725	4486	4624	10939	47973	17924	708	
Total in August, 1806 60764	33704	1063	80	584	1854	433	9305	145481	166585	247	305	2203	3083	7914	13643	654	1804	3846	3344	4499	5174	1014	640	
Increase ..	6104	10504	..	49	1404	2064	524	..	133074	143384	42	96	611	746	561	8242	949	121	842	1180	6440	65798	1514	57
Decrease ..	..	..	136	..	..	..	..	16424	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

1807
17 Aug.
Agriculture
and live
stock.

1807 LIEUTENANT-COLONEL PATERSON TO UNDER-SECRETARY SULLIVAN.*

Yorkton, Port Dalrymple,

25th August, 1807.

25 Aug.

Dear Sir,

The settle-
ment at
Launceston.

I did myself the pleasure of writing to you in April last,† after my return from Port Jackson. Since that period I have been busily employed at the new settlement (Launceston), which promises to answer far beyond my most sanguine expectation. The little wheat I have been able to put into the ground looks remarkably well, and, if no unforeseen accident happens to it, I think will produce a plentiful crop; but we have not more than fifty acres, which is owing to the want of labourers—indeed, we are now at a stand, many of the people having served their terms of transportation, and those now remaining are in general bad characters or infirm men.

Convicts
take to the
bush.

In my last letter I anticipated the evil consequence that was likely to arise from the necessity of making kangaroo the principal part of our animal food, which is now realized, for not less than ten prisoners have absconded with their masters' dogs, fire-arms, &c., and are living in the woods and mountains, where (from their knowledge of the country) there is little chance of their being apprehended; and it is much to be dreaded that they will become a desperate and dangerous banditti, so as to endanger the safety of our live stock, which thrive astonishingly, and, if no accident happens, will become a source of animal food.

Soldiers dis-
armed and
robbed.

It is but a few days since that two of these runaways (who have been absent for sixteen months) seized on two of the soldiers who were collecting firewood, tied, and carried them to their post, robbed them of everything, their arms and ammunition, and effected their escape. These circumstances, I hope, will point out the pressing necessity of our being supplied with every species of provision until the settlement is more independent, which will never be the case unless we can keep the prisoners at hard labour and properly secured, so as to prevent a chance of their deserting.

The
Surveyor-
General.

Mr. Grimes (the Surveyor-General) has been indefatigable in his survey, and when [he] accomplishes his journey to the Derwent, which he is about to undertake (at my request), a great part of the blank in the chart of Van Dieman's Land will be fill'd up.† The result of his excursion I shall communicate to you in my next.

Paterson's
status.

Governor Bligh has informed me of this settlement being on the same establishment as that of the Derwent, which is a great satisfaction to me. I am fully persuaded that my friends were not wanting in their support on the occasion, and I hope my attention to the concerns of this infant settlement will not disgrace their recommendations.

* A private letter, in Paterson's own handwriting.

† Ante, p. 264.

‡ Lieutenant Laycock had made this journey in February, 1807—ante, p. 255.

But I am sorry to say that both civil, military, and prisoners are very inadequate to perform the many duties which I am so anxious to accomplish. I have not the means of holding a Criminal Court, there being no Judge-Advocate nor a General Court-Martial nor want of officers, and the few troops I have (from the extent of the country) are so dispersed for the protection of Government property that there are only forty-seven duty men at head-quarters, including officers, and the total number of convicts are only ninety-four, which, when divided at the different ports and settlements, leaves two labourers for agriculture. I have been particular in stating this that the public may not be deceived, or expect much to be accomplished here. Under these disadvantages, this settlement is and has been situated nearly for these last three years; and the few people we have had, from our first settling, have been more than half the time upon a very reduced ration, and almost without clothing. All I can say further on this subject is, I look forward for some change which may enable me to prosecute with vigour the interest of government which I have so much at heart.

1807

25 Aug.

Short-handed.

Soldiers and convicts.

*

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*

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*

I am, &c.,

W^M PATERSON.

WILLIAM OSBOURNE TO VISCOUNT CASTLEREAGH.

My Lord,

London, 28th August, 1807.

28 Aug.

I beg leave to trouble your Lordship by submitting a case of very considerable hardship, arising from the shipping policy recently adopted by the East India Company.

The hire of a transport for New South Wales.

Having contracted with the Transport Board for my ship Sinclair to convey stores and convicts to New South Wales at the very moderate freight of £13 7s. 6d. per ton register,* expecting to be employed by the Company to bring home teas from China, or gruff goods from Bengal, as has been usual (and is extremely beneficial both to Government and the Company, by the saving of freight to each party), I have consequently made the usual tender of my ship to the Company, who have refused to load her either at Canton or Bengal.

In this situation, I would be content if my ship shall be suffered to proceed to Bengal, under stipulation to bring home rice and cotton only, and under such penalties for any deviation from the strict terms of the license as the company shall be pleased to impose; but to this request, submitted to them by my agent, I have received no accompanying reply, and nothing remains for me but to bring home my ship in ballast, which will be attended with a ruinous loss. Altho' the contract is positive in its terms, and has no reference to the employment of the ship after delivery of the convicts and stores at Botany Bay, yet having been entered into with an

The return voyage.

An implied condition.

For the system in force at the Transport Office in regard to hiring vessels for the voyage to New South Wales, see the evidence of Alexander McLeay before the Committee of the House of Commons on transportation—1812. He stated that the rate ranged from £9 15s. to 16 guineas.

1807
28 Aug.

expectation of employment usually afforded to such ships (and which in the year 1805 was given in the like case without hesitation to the ship in question), I can scarcely be held to the letter of my engagements. The Transport Board will then have to enter into contracts with parties under a knowledge that the ships going to Botany Bay are to return in ballast, and the public must pay the increased freight ; for I am prepared to satisfy your Lordship that homeward cargoes from Botany Bay not only are not always but are very rarely to be procured.

Under these circumstances, therefore, I trust your Lordship will be pleased, by the influence of Government with the Company, to obtain the permission requested, under such regulations for preventing any trade or the admission of any convicts or others into the company's settlements in India as your Lordship and the Company may agree upon.*

I have, &c.,

W^m OSBOURNE.

(Of Hull, now at No. 16, Old London-street, City).

[Enclosure]

THE EAST INDIA COMPANY TO R. DUNBAR.

Sir,

East India House, 6th August, 1807.

The East
India
Company
refuse to
allow
transports
home-
cargoes from
India.

The Court of Directors of the East India Company have considered your letter, requesting a license for the ship Sinclair to load in Bengal on the owner's own account a cargo of rice, sugar, hemp, and cotton, or such of those articles as the Court may specify in the licence, under such penalties for any deviation from the express terms of the licence as the Court may think fit to impose ; and I am directed to acquaint you that the Court have resolved not to permit ships proceeding to Botany Bay to touch at any port in India, but the Court have no objection to their bringing Home goods from New South Wales the growth and produce of that settlement.

I am, &c.,

W. RAMSAY.

COMMANDER FLINDERS TO SIR JOSEPH BANKS.

1 Sept.

Sir Joseph,

Isle of France, 1st September, 1807.

The order to
liberate
Flinders.

I have received back my books and papers, now five weeks after the arrival of the order to set me at liberty ; but as yet I remain wholly in the dark as to the time and manner of my return to England. Amongst my papers are several letters addressed to you, and for fear of some sinister intentions on the part of General De Caen, I now forward them by the way of India. For further particulars, I beg leave to refer you to my letter of this date to Mr. Marsden, and I remain, &c.,

MATT^w FLINDERS.

If Mr. Brown is arrived in England, I beg to be kindly remembered to him ; as also to Mr. Bauer and Mr. Westall. Their letters are either herein, or will be all forwarded.

* See the letter of Mr. Ramsay on this subject, dated 11th September, 1807, post, p. 284.

GOVERNOR BLIGH TO CAPTAIN PIPER.*

1807

[Extracts.]

Government House, Sydney,

r, New South Wales, 4th September, 1807.†

4 Sept.

* * * * *

now come to the most serious part of our consideration, which is the removing of the inhabitants under your orders to Derwent and Port Dalrymple, the judicious arrangement of which rests with us to effect, while the remunerations ordered by Government will make up to every individual for any temporary inconvenience which may be felt in putting His Majesty's orders in execution.

Removal of
Norfolk
Island
settlers.

As I now think it proper to send you Mr. Secretary Windham's letter on this head,† you will be thoroughly acquainted with the whole that is to be done, and you will immediately publish such orders as are necessary for the people to be informed of. I am sure you will not fail to impress on their minds, the propriety of a cheerful compliance, and to exhort them to come forward with alacrity to support the intentions of Government, which are solely directed to their good, while on my part they may rely on the most particular care and watchfulness over everything which pertains to their future interests and comforts.

Letter of the
Secretary of
State.

You will observe that I am commanded to execute the duty imposed on me with the Colonial vessels. These are the Porpoise, the Nelson, and Estramena, means, not adequate to do much at this time, if they can be spared, for one or more of them must be employed going to Port Dalrymple and the Derwent with provisions, to keep up their necessary supplies. Should it so happen that we employ them together, or either of them, whatever arrangement we make should be as complete as possible—that is, the vessel first goes should embark with their absolute necessities for settling at the place they make choice of, and to avoid as much as possible (by way of exemplification) being like sending powder in one ship and shot in another, whereby if one is lost the other for a length of time becomes of no use.

Evacuation
of Norfolk
Island to be
effected by
Colonial
vessels.

Another circumstance to guard against is, that no application is to be made to me by any settler or person whatever, in order to change the Minister's commands—every thing must be done as he has directed; and I feel very much satisfied that in

No applica-
tion to alter
arrange-
ments to be
received.

Commandant at Norfolk Island.

The original is dated 1806; but this is obviously an error.

Ante, p. 224. See also Hobart to King, 23rd June, 1803, vol. v, p. 157; King to Foveaux, July, 1804, ib., p. 403; General Order of same date, ib., p. 406; King to Banks, 14th July, 1804, ib., p. 448; observations by Foveaux, 26th March, 1805, ib., p. 581; King to Den, 30th April, 1805, ib., p. 600; King to Camden, 15th March, 1806, ante, p. 36; and Macleay's letter to King, of 31st December, 1807 (post, p. 401), which was most probably sent after a conference with ex-Governor King, then in England.

1807
4 Sept. the execution of the service entrusted to you, not only the letter of the instructions, but the spirit of them, will be complied with, much to your honor and credit, and which shall not be omitted to be mentioned by me to the Secretary of State when all is done.*

The Lady Nelson

I shall anxiously wait for the Lady Nelson's return; but do not send her away until you have thoroughly formed your judgment, whereby it may become the basis of how we are to proceed, and prevent any retrograde movement and injury to the public.

The valuation of property.

In your attention to this grand object, nothing will more particularly require your wisdom than the valuation of property, which, from the experience you have had, I am confident will be duly estimated.

Accounts of emigrants to be kept.

Be as correct as you possibly can in the number of souls that determine to go to the Derwent, and of those who will go to Port Dalrymple, in order that I may inform the respective Lieutenant-Governors thereof, and provide for their maintenance.

* * * * *

You will not fail to express to Mr. Hibbins, the Deputy Judge-Advocate, the paragraph in the Secretary of State's letter which conveys to him His Majesty's displeasure, and that he has no further occasion for his services, also that he is not to expect any indulgencies which His Majesty has been pleased to grant to others. Inclosed is a letter to Mr. Hibbins from me on the occasion, which you will read and present to him.†

I am, &c.,

W^m BLIGH

THE EAST INDIA COMPANY TO GEORGE HOLFORD, Esq.‡

East India House,

11th September, 1807.

11 Sept.

Sir,

Correspondence.

I have laid before the Court of Directors of the East India Company your letter, transmitting for their consideration and sentiments thereon a letter from Mr. William Osbourne, dated the 28th ult'o,§ addressed to Lord Castlereagh, together with copy of a letter from Lord Castlereagh to Mr. Dundas, containing observations upon the representations of Mr. Osbourne, and I am commanded to transmit to you the following reply on the part of the Court of Directors.

Trade with India.

The question of permitting a trade between New South Wales and the coasts of India and China has always been considered by the Court of Directors as a very serious one.

* Kent alleged (*Trial of Lieutenant-Colonel Johnston*, p. 336) that he had verbal orders, from Bligh to Piper, to use military force in case any of the settlers refused to go; if any of them took to the woods he was to outlaw them, and to shoot them.

† This letter is not available.

‡ George Holford was Secretary of the India Board.

§ Ante, p. 281.

In the year 1805 their opinion upon this subject was asked by the Lords of the Committee of the Council for Trade ; and it was given in the following letter to Sir Stephen Cottrell, viz.*

1807
11 Sept.

* * * * *

Conformably to these sentiments the Court have not been disposed to encourage applications for leave for particular ships, especially ships belonging to England, to navigate from New Holland to India.

The only instances of such permission are two in the year 1805, when one ship was allowed to go to India, either to be sold there, or to bring Home a large cargo on account of the owners, and the other to bring Home a cargo for the Company. Exceptions.

In 1806-7, the late Administration were about to bring a Bill into Parliament for opening the trade of New South Wales, under the licenses from the East India and South Sea Companies.† The ground of that Bill undoubtedly was a belief that there were materials for a trade between New South Wales and England, which Mr. Osbourne's representation denies. The Court of Directors being consulted on this occasion, did, in the form of the licenses and clauses proposed by them to be inserted in the Bill, aim at confining the trade to a direct one between England and New South Wales ; and the late President of the Board of Commissioners for the Affairs of India, who may be presumed to have held the sentiments of [the] Administration, acquiesced in the view of the Court of Directors to prevent a trade between New South Wales and the coasts of India and China. Copies of the papers which passed on this subject will probably be found in the offices of the Indian Board.‡ Colonial trade with England.

From these several facts it will be evident that the Court have a systematic objection to the encouragement of a trade between New South Wales and their settlements in the east ; that Mr. Osbourne in implying that they were in the habit of permitting transports from England to proceed to India for homeward cargoes, has quite misrepresented the fact ; and that what he terms a change in their shipping policy (a subject upon the merits of which it certainly was not competent for him to give an opinion) is in fact a continuation of that policy always maintained. Exclusive trade right of the East India Company.

The Court on this occasion beg leave further to observe that they have always been desirous to promote the interest and wishes of Government by giving homeward freight to the ships engaged by it to Botany Bay ; and they know that this accommodation has been attended with considerable advantage to the public ; but they beg leave to state they did not understand it to follow as a Homeward freights for transports.

* See this letter, dated 6th June, 1805, printed at length, vol. v, p. 644.

† See the text of this Bill, ante, p. 241.

‡ See the letter of 5th February, 1807, ante, p. 240.

1807
11 Sept.

thing of course, from this spontaneous reading on the part of the Court, that they were to find employment back for every transport the Government might at any time engage for Botany Bay ; and lest of all do they conceive it to follow that any individual might come forward and plead it as a matter of right, on which he was entitled to found a personal claim. Mr. Osbourne has acted through this business without regarding the usages of Government or the Company.

Contracting
for
transports.

When the hiring of any ship for Botany Bay was in question the Transport Board used either previously to inquire of the Company whether they could give a homeward freight, and after the Company agreed to do so, to take up the ship ; or, if they first took up the ship, they gave, for the information of the Court, a certificate from the owner stating the agreement with him. Mr. Osbourne made his contract with the Transport Board, without the least mention of any return freight. He then came to the Court without a certificate from that Board and asks a homeward freight from China, seeming to consider this as a matter of course, without proposing that the Company's convenience was to be consulted. The Company had a surplus of tonnage in China, and, therefore, means of employing Mr. Osbourne's ship. He next asked for leave to proceed from Botany Bay to India, to bring home a gruff cargo from thence to England. The Court, upon the grounds already mentioned, thought fit to decline a compliance with this request also. Mr. Osbourne then makes his appeal to Government as an injured man, upon which it is only necessary to observe—that Mr. Osbourne has himself to blame for his disappointment because he did not, before engaging with the Transport Board, take the proper means to ascertain whether he could have a return freight ; and, secondly, that it cannot be supposed the Company are never to have any discretion in a matter of this kind, but to comply with all such applications without regard to their own convenience, or to objections of a political nature.

Mr.
Osbourne
and the
Court of
Directors.

Upon the whole, therefore, the Court submit whether this case after the explanations here given, is one which Lord Castlereagh would think entitled to his further interposition.

I have, &c.,

W. RAMSAY, Sec'y

JOHN TOWNSON* TO THE RIGHT HON. W. WINDHAM.

23 Sept.

Sir,

Sydney, 23rd September, 1807

Camden
promises
Townson a
land grant.

In consequence of receiving a letter dated July 8th, 1807, from Mr. Cooke, then Under-Secretary of State, informing me that Camden would allow me 2,000 acres of land in this country,

* John Townson had been a captain in the New South Wales Corps.

other indulgencies therein mentioned, and that on my arrival Gov'r Bligh would have orders to locate the same to me, I sail'd in the Sinclair with the said Governor, who, on my applying for the said grant of 2,000 acres soon after my arrival, told me he had not received any orders to give me such grant, and that he would not do it till he received orders from England for that purpose, but that I might occupy and make use of the same quantity of land in the meantime, which I objected to, as having no house of my own to live in, I should be under the necessity of building one on my own ground, which, with the outhouses proper for a farm, could not do for less than from £1,000 to £1,500, which I thought no prudent man would do on ground that was not absolutely his own; for, having no legal claim to land so circumstanced, I should hold it at the will and pleasure of the Governor. In consequence of this, I was about to return to England to lay my complaint before His Majesty's Ministers, when my brother* arrived with a letter—from Sir George Shee—nearly similar to mine, and has been treated in a similar manner, the Governor refusing him the grant of land he was promised. I hope, sir, you will see the harshness of such treatment, and give the necessary orders that the promises held out by His Majesty's Ministers (and which were the cause of my leaving my native country and putting myself to a very great expence) may be fulfill'd.

1807
23 Sept.

Bligh
refuses to
give effect
thereto
without
express
authority.

Townson's
brother
similarly
treated.

Townson's
military
services.

I beg leave to inform you, sir, I have been near 24 years in the Army, above 10 of which I served in this country. I succeeded Governor King in the Government of Norfolk Island, in which situation I remain'd above three years, when I received the Duke of York's leave to return to England, where illness compelled me to quit the service, and induced me to come to this country to settle; and I hope, sir, you will have the goodness to give orders that I may be put on the most favourable footing, and that the number of men and live stock may be in proportion to the quantity of land.

I have, &c.,

JOHN TOWNSON.

GOVERNOR BLIGH TO THE RIGHT HON. W. WINDHAM.

Government House, Sydney, New South Wales,

Sir,

30th September, 1807.

30 Sept.

A ship called the Aurora intending to sail for England while I am preparing my regular despatches to be sent by the Duke of Portland, a ship of more security and safe and speedy conveyance, it is incumbent on me, nevertheless, and I feel great

* Robert Townson, LL.D. He arrived on 6th July, 1807, in the Young William. According to the letter of Sir George Shee, he was to receive a grant of 2,000 acres and an allowance of convict labour and live stock in proportion. See his letter to Windham of 10th October, 1807, post, p. 290.

1807 satisfaction in so doing, to state the general situation of the colony, lest any unforeseen accident should prevent the Duke of Portland reaching England.
30 Sept.

For any omission and shortness of this despatch I have only plead the arduous duties I have to perform.

**The colony
recovering.**

It is an infinite satisfaction to me to say that from the distress situation, in every respect, in which I found the colony, it is now rising its head to my utmost expectations. The public buildings carry an aspect of their value, and private houses the pride of their inhabitants; poor as they are, yet they are neat, and the town altogether is become what has not been seen before in the country.

**Industrious
settlers.**

In the interior I feel satisfied that the same emulation exists among the inhabitants; and their industry materially increased. Great exertions have been made to till the land, and the ensuing harvest promises well.

The discontented are checked in their machinations, while the honest settler feels himself secure, and the idler no encouragement.

**Orderly
convicts.**

The convicts are quiet and as orderly as can be expected. Every encouragement is held up to them. The settlers have a due proportion allotted as servants; but few of them readily leave off the evil ways they have been accustomed to. Their absconding to the woods, however, appears to be barely thought of.

**The price
of food.**

Provisions of meat kind are scarce and very dear, such as beef and pork at one shilling and ninepence per pound. It is owing to a few wealthy persons who have got great property; but as we are encouraging deserving persons, the benefits Government wishes to bestow will become more equally distributed.

No luxuries.

What were formerly considered luxuries, and are now become in some degree the necessaries of life, the country is entirely bare of, and can only be done away by arrivals with such necessaries. The whalers and transports bring scarce anything, and the little they import are sold at several hundred per cent., while the want rather distresses us at present by their want of supplies.

**State of
the public
stores.**

The general statement, which is inclosed, shows that our stores of provisions remaining in store will only last thirty-nine weeks for all the settlements at full ration; from whence, sir, every judgment may be formed of what is required, when compared with such supplies as may be on the way for the colony and its dependencies.

I have the honor to acknowledge the receipt of your despatch by the Brothers, Young William, and Duke of Portland, and am effectually putting them into execution.

I have, &c.,
W^m BLIGH.

of New South Wales, 30th September, 1807.

POPULATION

250

1807
30 Sept.
Population.

Settlements.	Civil Establishment Victualled.																			Military Establishment Victualled.																		
	Governor and Commander-in-Chief.	Lieutenant-Governor.	Commandant.	Deputy Judge-Advocate.	Aid-du-Camp to His Excellency.	Commissary.	Principal Surgeons.	Provost-Marshal.	Chaplain.	Secretary to the Governor-in-Chief.	Surveyor of Lands.	Deputy Commissaries.	Mineralogist.	Boat builder.	Assistant Surgeons.	(Clerks to the Commissary	Superintendents and Storekeepers.	Beach Master.	Women of Civil Establishment.	Children of Civil, above 10 years.	Children of Civil, above 5 years.	Children of Civil, under 5 years.	Total of Civil Establishment Victualled.	Major.	Captains.	Lieutenants.	Ensigns.	1 Adjutant, 1 Quartermaster, 1 Paymaster.	Surgeon.	Sergeants.	Drummers and Fifers.	Rank and File.	Women of Military Establishment.	Children of Military, above 10 years.	Children of Military, above 5 years.	Children of Military, under 5 years.	Total of Military Establishment Victualled.	
Sydney	1			1	1	1	1	1	1	1	1	1	1	1	1	1	5	5	5	5	5	5	31	1	1	1	1	3	2	1	21	10	333	40	4	66	7	409
Parramatta												1			2	2		5	5	4	5	5	31		1	1	1		1		3	2	53	0	4	28	4	133
Hawkesbury																1	1	1	2	2	2	7								1	1	13	1	1	1		23	
Newcastle			1															1	1	0		0	0							1	1	16					17	
Hobart Town, 31 March		1		1		1	1	1	1						2			8		6	4	35			1	3				0	2	37	9	1	1	6	63	
Norfolk Island, 17 June			1	1								1 ⁺				1		1	1	2		7				1				2	27	5	18		55			
Pt Dalrymple, 23 April												1						2		2	2	12			1	2	1		1	0	5	50	0	3	13	11	108	
Total ..	1	2	2	3	1	1	3	2	2	1	2	6	1	1	7	2	23	1	21	17	9	119	1	4	3	4	3	2	40	21	563	76	13	133	30	903		

* Acting Provost-Marshal. † Acting Deputy Commissary.

1867
30 Sept.
Population.

GENERAL STATEMENT OF INHABITANTS OF HIS MAJESTY'S SETTLEMENT—continued.

Settlements.	Loyal Association Victualled.				Rank and File.	Total of Loyal Association Victualled.	Orphans Victualled from the Public Store	No. of Prisoners, Free Men and Settlers Vic- tualled from the Stores.				No. of different Rations issued.				Total No. of Full Rations issued.	Total number Victualled from the Stores.	No. of Persons not Victualled.			Total not Victualled.	Men.	Women.	Total Free Settlers and Landholders not Victualled.	Total number of Souls in the Settlements.		
	Captain.	Lieutenant.	Sergeant.	Drummers and Fifers.				Men.	Women.	Children above 10 years.	Children above 2 years.	Children under 2 years.	Full.	Two-thirds.	Half.			Quarter.	Men.	Women.						Children.	
Sydney ..	1	1	3	2	23	40	4	498	61	..	45	11	601	806	121	102	18	1,034	1,173	1,778	611	600	1,809	600	611	900	1,809
Port Phillip ..	1	1	3	2	21	28	11	476	123	5	22	22	638	614	141	78	28	754	801	1,778	611	600	1,809	600	611	900	1,809
Hawkesbury ..	..	..	..	..	..	..	..	138	7	..	9	1	145	147	13	17	1	164	178	..	..	..	..	..	..	..	..
Newcastle ..	..	..	..	..	..	..	..	376	21	..	8	8	40	82	21	15	8	100	118	..	..	..	..	..	..	..	..
Hobart T'n, 31 Mar.	..	..	..	..	..	..	..	376	21	..	14	16	376	343	53	17	30	418	479	..	..	..	..	..	..	..	..
Norfolk Is'd, 17 Jan.	..	..	..	..	..	..	..	134	45	..	23	1	219	172	51	50	1	234	290	..	..	..	..	..	..	..	..
Pt Dalrymple, 23 Apr.	..	..	..	..	..	..	..	118	23	..	2	..	138	192	34	17	15	237	258	..	..	..	..	..	..	..	..
Total ..	2	2	6	4	64	68	31	1,037	286	14	142	47	2,266	2,448	470	292	95	3,923	3,357	1,800	1,000	1,813	4,000	600	611	1,000	1,809

The following Provisions have been sent to the Out Settlements } To Hobart Town
since the several dates expressed against them, since which times } " Norfolk Island
no General Statement has been received from these places, viz:— } " Port Dalrymple
21 Mar
17 June
23 April

Bed. lb. Port. lb. Sugar, lb. Wheat, lb. Maize, bushels. Rice, lb.

28,160 561 6,129
9,540 200 ..
.. .. 25,478 500 11,140

JNO. PALMER, Commissioner.

MAJOR JOHNSTON TO LIEUTENANT-COLONEL GORDON.
*Letter, 8th October, 1807, enclosed in the Duke of York's letter
 to Castlereagh, of 13th June, 1808, post, p. 652.]*

1807

8 Oct.

SURGEON LUTTRELL TO UNDER SECRETARY SULLIVAN.

[Extracts.]

My dear Sir,

Sydney, 8th October, 1807.

When I had the pleasure of addressing you last year by the
 Alexander, Captn. Brooks,* we were then involved in all the
 miseries of famine, per various causes; but, thanks be to the
 all-wise Disposer of events, we have struggled through it, and as
 the last maize crop proved very abundant, our distresses are much
 reduced; but the consequences of the flood is still felt, and will be
 some time in a very great degree, for as there was almost a
 destruction of the pigs and every sort of poultry by the
 inundation, it will be some months before any quantity can be
 reared, for it is only since the maize crop that there has been
 food to properly feed them with. A very serious evil to the
 colony in the country has arisen out of the flood is that of pig-
 stealing all over the country by the convict serv'ts and inferior
 class of settlers that have been formerly convicts, who league with
 others in their nightly depredations. This evil is carried on
 by those rogues to the very great detriment of the colony at large,
 old and young, whether nearly ready to farrow or not, are all
 wholly destroy'd by them, and as this crime is but trivially
 punished by the laws of England, the punishment that is inflicted
 on them they totally disregard, and they return to their destructive
 wanton practice with a perfect nonchalance. Pig-stealing in
 the colony ought to be a capital offence, as it is at present the
 principal animal food, except poultry, of the great body of the settlers, as
 sheep are not yet numerous in the colony, and are in few hands, and
 horn cattle is still fewer, although they are rapidly increasing,
 the climate agrees with them remarkably well.

"The
 miseries of
 famine."

Conse-
 quences of
 the flood.

Pig-stealing.

* * * * *

Men whose view of settling in the colony as graziers only do
 little benefit to it, as they do not as graziers promote the clearing
 and cultivating of the country. To grant, therefore, very large
 tracts of land, and the permission to purchase a considerable
 quantity of cattle, by the produce of which they mean to live, is
 incompatible with the interests of the colony. It is by combining the
 grazier with the farmer that the increasing prosperity of the country
 may be expected; for, as the toil and expence to bring a wooded
 country into cultivation requires both labour and money, the person
 who sets the quantity of stock he possesses is placed above it
 †. On the other hand the poor cultivator without † who is

Graziers and
 sheep and
 cattle walks.

* Alexander sailed from Sydney for England on 10th November, 1806. † MS. torn.

1807
8 Oct.
—
Grazing
versus
farming.
Scarcity of
mechanics.
Industry
languishing.
The spirit of
gambling.
Ticket-of-
leave men.

forced to labour hard for his subsistence, by clearing the land for a precarious crop, is depressed in spirits, and instead of carrying on his cultivation with spirit and energy, he views with silent dejection his neighbour indolently abounding in the prosperity of his heads of cattle. . . . As there is a great want of mechanics of various descriptions, such as carpenters, masons, smiths, wheelwrights, brick-makers, &c., they might be permitted to come into the country either at their own expence, or on such conditions as Government might chuse, and for them to work at their different trades, but not to have grants of land assigned them. The want of a number of free artificers is greatly felt in every part of the country, and is a considerable hindrance to the improvement of the farms, many of which are in a most wretched state for want of proper buildings on them. But industry here is in general at a low ebb. A colony founded principally by convicts is a long time advancing to any degree of perfection. When working as serv'ts to Government, or to the different settlers unto whom they are granted, the little labour they perform scarcely amounts to a fourth part that a labourer in England would accomplish in a day. And those that are become free, and in the earlier periods of the colony had lands granted them, are for the most part a very worthless, dissipated class, retaining the vicious propensities and habits which occasioned them to come into this country. A spirit of trading and dealing, amounting nearer to gambling than anything else, pervades the whole of them, and it is not uncommon for a man, scarce worth anything else than his crop on the ground, to purchase a sorry horse for upwards of a hundred and twenty and thirty or forty pounds, and to give his assignment of his growing crop for it. After having it, perhaps, for a few days, he sells it again to another person for something else, and so on from one to another. And whilst this sort of trafficking is going on, labour is at a total standstill, and the cultivation of the ground neglected; and should there happen to be a quantity of rum in the colony, a debouching of several days succeeds. Prior to Governor Bligh's arrival, a considerable injury to the colony had crept in: that of ticket-of leave men—men that were taken off the stores, and permitted to work for themselves. The original idea might have been a good one; but, as a great number of the most worthless of the convicts had from some recommendation or other obtained this liberty, the colony, instead of reaping a benefit either from their labour or skill in any mechanic branch, the greatest part of them became hucksters and dealers in various articles of food, and especially during the famine, enhancing the price of every commodity on the people, and making them their prey. But Governor Bligh, seeing the pernicious tendency of the measure, has recalled a great number of them into Government employ.

* * * * *

The climate here is so delightful that there is, take it altogether, no place any to be compared to it. The want of a better society, the remoteness of our situation, and the little intercourse with our present state, by which we are deprived of many of those comforts and necessities we have been accustomed to, and often the total want of every article of cloathing and many et cæteras in householdry, &c., necessary to family use, makes us lament the immense distance between us, and wishfully to sigh for a sight of England.

1807

8 Oct.

Social life.

If a more regular intercourse was opened between this and the mother country, a ship from England—with a cargo of various articles of food, ironmongery, and cloathing of different kinds, such as, glass, earthenware, &c., &c.—every three months would find a ready market; or if one or two of the China ships was to make this in their passage to China with a cargo for this country would answer very well, and I do not believe the passage to China would be longer by this route than by the eastern passage, and the danger is incomparably less; but I am in hopes the Legislature will, in their justice and wisdom, upon a renewal of the East India Charter, grant a free trade, under certain limitations, both to China and the East Indies; but in the course of a few years, by extending our settlements eight or ten degrees further to the north, every production of India and China might be had from our own coast, as I believe there are some harbours within that distance that would answer every purpose of forming a settlement there. Amongst the disadvantages that this country at present suffers under is the want of an exportable article for shipping that can be had here, either for the India, China, or the Home market. A few of the ships that have arrived have had a Home freight of whale oil and seal skins; but the latter trade is greatly on the decline, as the seals are all nearly destroy'd on the southern islands of this coast, or, from the constant molestation they have suffer'd, have abandoned the islands. To get a cargo of skins, new and distant islands must be discover'd, and the consequent risk and expence must be so much increased that the amount of the proceeds will hardly pay the charges. As the climate of this country is so favorable to the growth of the annual cotton plant, such as is the produce of the Carolinas, the cultivation of it as an exportable article for the China market would prove of great benefit to the colony; and as the demand for raw cotton is very great at China, it could become an article for that market for shipping that bring goods to this country and are proceeding on to China. But, unfortunately for the colony, there is not a true cotton plant here, or ever was since the colony was founded—the *Gossypium* of the ancients. It would be meritorious in any individual to send out both seeds and plants if the Government should not consider it as an object worthy their attention. Wool, the Government was falsely

Intercourse
with Eng-
land.Free-trade
with the
East.Articles of
export.The
fisheries.

Cotton.

1807
8 Oct.
The wool trade.

The cattle.

Prices of stock ;

and of grain, pulse, &c.

Provisions and utensils.

Luttrell as a sheep-farmer.

informed, was an article which, in the course of a few years, would become an article of the utmost importance to Britain ; but the fallacy of the account I in my former letter set forth, and what I have since seen of the sheep of this country I am still further confirmed what I advanced on that subject—that at present there is not a good fleece in the country, and it will be many years before the hair is totally obliterated. Besides, a wet season diseases them, and they die out of number ; it is the worse and most precarious stock in the country. The horn cattle are increasing rapidly, and the meat of them is equal to English beef, and it only wants a dispersion of them amongst the people that are worthy to have them to make this a much more thriving colony than it has been. A few individuals have, for this country, large herds, from 100 to 200 head of cattle, but the prices they ask for a cow are such that but few can venture on the purchase of them—from sixty to seventy pounds for a cow or calf, a bullock from fifty to sixty ; and now I have enter'd on the price of the horn cattle, I will just enumerate prices of the various stock, and grain, &c. :—
 Sheep : To purchase a flock of ewes and wethers, with lambs, two pounds a head, one with another. Wethers, for the butcher, from three pounds to five ; retail'd out by the butcher at two shillings pr. lb. ; prior to the flood, at one shilling. A small pig at 6 or 7 weeks old, 20 shillings ; a full grown hog, eight pounds or more ; pork, retail'd by the butcher at 23d. per lb. ; grown fowls, five shillings each ; wheat, at present, 16s. per bushel ; maize, 6s. per bushel ; potatoes, 26s. pr. c. weight ; green peas, 1s. 6d. pr. quart ; a cabbage, 6d. ; no cheese made in the country ; a small quantity of butter at 6s. pr. lb. by a few individuals. The colony at present is in absolute want of butter, cheese, porter, wine, spirits, all sorts of cloathing, tea, sugar, all sorts of kitchen utensils, bedding, blankets, sheets, &c., &c. ; and what adds to our distresses is, immediately as any of those articles coming into the colony they are purchased up by a few hucksters in Sydney and resold to the settlers and others at the enormous prices of three and four hundred pr. c't from the imported price. If a merchant in England was to send a trusty free man into this country with a regular consignment of goods he would do well. If you remember, sir, it was required of me, on my coming into the colony, to make the rearing and breeding of sheep the first object of my attention, in consequence of the representations that had been made to Government of the value of the wool. Accordingly, on my coming into the country, I purchased six hundred pounds' worth of sheep ; but, as I found it was likely to be a very losing concern, and the wool to be little or no value, I thought it necessary to dispose of more than half of my flock, but I have now upwards of three hundred. Our increased expences, arising from the extreme dearness of provisions, occasioned by the floods, with the money I have necessarily expended

on my farm, has in great measure exhausted my little fortune, and you will know I have a numerous family. I shall be gratefully thankful to you, sir, to procure for me the purchase of six more cows, to the six I already have, for the better support of my family, as it is from the horn cattle only that a family can hope to prosper. I should be glad to purchase them by two at a time, according as they suit my circumstances, or to pay for them by their produce with interest thereon. The horn cattle of this country being a very mixed breed, chiefly from cattle imported from the Cape of Good Hope and from India, with some few from England and St. Helena, and as the cattle at the Cape will never give any milk unless they have their calves by their side, the cattle of this colony partake of the same habits. A cow here can only be milked once a day, having shut up the calf in a pen all night.

1807

8 Oct.

Luttrell
asks for
more cattle.

* * * * *

Our climate produces us peaches in the most luxuriant manner, and some of excellent quality and flavour ; at present they are but of little use to the colonist. Cyder has been attempted to be made from them, but the experiment has not been successful. Fine brandy might be made from them ; but as no distillation is allowed in the colony, we are not able to derive any advantage from what Nature so bountifully bestows on us, although very considerable sums annually goes out of this colony for the purchase of very inferior Rio rum, rum from Bengal, &c., &c., which money might be kept in the colony was a distillery to be carried on under proper regulations and restrictions. Beer cannot be made good here from the want of hops, and the climate is much too warm for their growth ; attempts have been made to raise them, but without succeeding. Grapes on the first settling of the colony thrived very well, and promised to be a useful and profitable culture ; but from some unknown cause or other they are now annually blighted, and the culture of them is entirely given up ; but I believe they have not grapes proper for the climate, and a bad management has been one principal cause of their failure, for as this climate is nearly similar to the Cape, where they make very good wine, it appears paradoxical to me why, under proper management, they should not succeed here. I am attempting to rear them at my farm, and I hope to succeed. Tobacco might be raised in large quantities, which also takes a considerable sum from the colony for the purchase of Brazil tobacco ; but the culture of it has not been attempted, in great measure from the poverty of the settlers, not being able to raise buildings for the drying and curing it, and from the number of hands necessary in the culture. Flax succeeds very well, as also hemp, growing on the rich lands of the Hawkesbury to a most luxuriant height, and if proper encouragement was given for the growth and manufacture of it, it would become an article of the greatest importance to the colony. The plant called the

Peaches.

Rum.

Beer.

Grapes.

Tobacco.

Flax and
hemp.

1807
8 Oct.
—

Fruit.

Agriculture neglected.

Bligh.

King.

Bligh's enemies.

New Zealand flax* thrives remarkably well ; and if we knew how to manufacture the fibre it would be superior either to cotton or the common flax, as it is exceedingly strong, and has a rich, glossy, silk-like feel and look ; but the years of famine from the occasional floods have caused wheat and maize only to be attended to preserve our existence. Our fruits, besides peaches before-mentioned, we have apricots, some pears, some apples, quinces (far superior in size and flavour to the English), mulberries (English, China, and the Cape), strawberries, raspberries, nectarines (imported by Gov'r Bligh), a fine Japan fruit called loquet, plumbs (but they do not bear well ; we want cherries), greengage plumbs, filberts, walnuts, pistachio nuts, olives. Oranges and lemons we have but not in abundance, considering the length of time the colony has been settled. But little attention seems to have been paid either to gardening or to any improvement in agriculture, considering the time the colony has been settled ; but I hope there is every prospect of the colony improving under the judicious care of our present Governor, who certainly has the welfare of the colony much at heart. The improvements that have taken place in every part of the country since he began his government have proved of the greatest utility. Abuses that had been long suffered to exist he has rectified and done away ; the more than Robersperian rule he has crushed, and his attention has been directed to the welfare and happiness of all the colony, instead of the private advantage and emolument of a few interested individuals that heretofore bore all the sway in the colony, and who, under the imbecile government of Governor King, were actually the governors of the colony. Prior to Governor Bligh coming into the colony a clamour —† been raised against him, and an opposition formed to counteract his government, and the recent events of the colony has fully confirmed what was before only rumored. In consequence of the officers of the Porpoise going to England, I have been appointed by Governor Bligh as surgeon to the ship. To-morrow we sail for the Derwent. If my desultory letter will afford you, sir, any amusement or information, I shall always be happy to give you such.

I am, sir, &c.,

E. LUTTRELL.

COMMANDER FLINDERS TO THE MINISTER OF THE FRENCH
MARINE.†

Wilhelm's Plains, Isle of France,

General Minister,

8th October, 1807.

Flinders to
the French
Minister.

I had the honor of addressing a letter to you from hence on the 12th April, 1806, intreating your Excellency to put an end to the long and very extraordinary detention I have undergone in

* *Phormium tenax*.

† MS. torn.

† This is evidently the memorial to the Minister of the French Marine which Flinders alludes to in his *Voyage to Terra Australis*, vol. ii, p. 467.

this island, and which still continues, notwithstanding the arrival of your Order of 21st March, 1806. The peculiar circumstances of my situation will, I trust, excuse me for again troubling you upon the same subject.

1807

8 Oct.

The opinion of the Council of State, approved by His Imperial and Royal Majesty, the 11th of March, 1806, did not arrive at this island, as I am informed, until 21st July, 1807, at which time my imprisonment had continued more than three years and a half. In answer to my earnest application, I received a week afterwards a copy of your Excellency's letter which accompanied the opinion of the Council, and was informed that "des que les circonstances le permettront, je jouirai pleinement la faveur qui m'a été accordé par la Majesté l'Empereur et Roi." What these circumstances were I was not told, nor was I permitted to go to the town to learn them, or to prepare for my departure.

The order for Flinders's release.

A month afterwards the greatest part of my books and papers were returned to me by the chef de l'état-major, who observed that the order for my liberation had been given at a time when the French and British Governments were upon more amicable terms; but that was a similar order now in question, perhaps it would not be given. This opinion, after the arrival of dispatches dated near twelve months after the order, and which did not contradict it, made me suspect that the Captain-General did not intend to put the order in execution, but to prolong the gratification of his personal animosity by still keeping me a prisoner. Excuse me, General Minister, for speaking thus of an officer of the French Government. It is but with too much reason that the public opinion here attributes my detention to that motive.

Restitution of books and papers.

It is, perhaps, unknown to your Excellency that, without examining into the affair, the Captain-General told me on my arrival that I was imposing upon him—the account I gave of myself was not probable. He made me a prisoner and seized all my papers, letters, and books in a manner correspondent with such language, and the following day invited me to dine with him. My refusal I believe to have been the cause of my detention, and of the misrepresentations he sent to France of my intentions in stopping at the Isle of France, for if what I saw published in the *Moniteur*, of 11th July, 1804, came from the Captain-General, he has not only kept out of sight my principal reasons for stopping, but also misrepresented the lesser advantages I promised myself in taking that measure. No, General Minister, it was the necessity of repairing the pumps of my leaky vessel before attempting to pass the Cape of Good Hope that led me to Port North-West. In passing by the island I believed it to be a time of peace, and I also wished to know what supplies the island could furnish me of refreshments, of useful plants and animals, to distribute in different parts of New Holland and New South Wales in my future voyage, as also

General De Caen.

Flinders's reasons for stopping at the Isle of France.

1807
8 Oct. its capability of supplying cattle to vessels that might be sent from Port Jackson. These were the motives of my desire to know the present state of the colony, and not any intention of being a spy upon it. My honour, my necessities, my passport, must have forbid me to entertain such an idea, had not my principles and the belief of peace prevented it from entering into my mind.

The real
motive of De
Caen.

My intention was to have stopped four or five days at the island, and it would have been in the General's power to have sent me away sooner; but would he have kept me here three or four years, at the expence of between two and three thousand piastres, in order to prevent me from gaining a knowledge of the state of the island? It is evident such was not his object.

The order to
liberate
Flinders
disregarded.

More than eleven weeks are now elapsed since the order was received, and more than eighteen months since it was given, and [I] continue to be kept with the same rigour as during the last two years. Several vessels have sailed from the island since the arrival of the order, in which I might have obtained a passage to Europe by the way of India or America; but I am still detained.

Flinders's
log-book
retained.

The third volume of my log-book is kept from me, in order, I was told, to make extracts from it, although it has been in the Captain-General's possession near four years. This, after receiving an order which ought to terminate the affair, is but too strong a proof that he does not consider it to be terminated. He has injured me deeply, and for that reason only will torment me so long as he can find a pretext for keeping me in his power.

Denied the
power to
justify
himself.

Could I obtain the opportunity of justifying myself, I have no doubt of being able to do it to the satisfaction of impartial judges; but the cause of innocence unheard will be condemned when an enemy is the sole witness, and especially when supposed intentions only constitute the crime.

Will recall
his parole.

I am now the prisoner of General de Caen, but cannot continue so upon parole. I shall redemand it, and shall probably be closely shut up in the tower, to remain so long as an order given in favour of humanity will be suffered to remain unexecuted, or so long as I shall have sufficient force to bear up against such unheard-of injustice.

Appeal to
Napoleon.

I trust it is not necessary to say more to induce your Excellency to cause a strict examination to be made into the affair, nor will His Imperial Majesty leave an officer furnished with his passport, whose life has been devoted to the service of science, in the hands of one who does not understand the full extent of the injury he is doing.

With sentiments of the highest consideration and respect, I have, &c.,

MATT'W FLINDERS,
Late Commander of H.B.M. ship the Investigator.

DR. TOWNSON TO THE RIGHT HON. W. WINDHAM.

1807

Sir, Sydney, New South Wales, 10th October, 1807.

10 Oct.

Having understood that it was the wish of His Majesty's Townson and the Govern-
ment. Ministers that men of respectability should settle in New South Wales, and that adequate encouragement would accordingly be given, I offer'd myself, through my brother, Captn. Townson, to Mr. Secret. Cooke, on condition of receiving the same advantages he was to receive. I was accepted as a settler. My brother sail'd in the Lady Sinclair transport, and before I could go to London to terminate the business, a change in the Ministry took place, and Mr. Secretary Cooke vacated his office.

I had then to transact my busyness with Sir George Shee. He An order for
2,000 acres. made no objection to ratify the engagement of his predecessor, but even said that Government should be glad to have so respectable a settler, and at the same time a man of science. I then received my letter of assurance, dated 15th of May, and signed by Sir Geo. Shee, which stated that on my arrival in New South Wales two thousand acres of land should be located to me with other advantages, and expecting that the stock and convicts would always (as they should be) be proportioned to the quantity of land, and that I should receive the same as my brother, I made no objection to the wording of the letter, though it was not so full as my brother's. I sail'd in Feb'y last in the Young William transport, and arrived in this colony on July 6th.

Here I found, to my astonishment, my brother on the point of Bligh
refuses to
act. returning to England to lay his complaints before His Majesty's Ministers. He had then been waiting a twelvemonth for his land, and still in vain, Governor Bligh refusing to locate the land, alledging that he had received no orders. This was the more extraordinary as they both had attended the public offices at the same time, and came out in the same ship. Immediately on my arrival I waited on His Excellency the Governor, and presented the letter I had received from your office. He received it with the greatest indifference, and said it contained no orders or instructions to him, and he would not grant me the land. I then stated to him in person and by letter how great and cruel a disappointment this was to me; that I shudder'd at the thought of again undertaking the same voyage to return to England; yet that The cost of
living. I must be ruined if I remain'd here without my land, as every, not only comfort, but necessary of life, was at an enormous price. Wheat was 25 to 30 shillings a bushel; butchers' meat, 2 shillings a pound; butter and cheese, 6 shillings a pound; moist or brown sugar, 5 shillings a pd.; candles, the same; tea, 20 to 30 shillings a pd.; wine, 10 shill'gs a bottle, and spirits not to be had or by favour only. His Excellency then said he would allow me to occupy the land, but without any grant; and after

1807 much solicitation he promised to allow me to purchase 8 cows,
10 Oct. 4 bullocks, 12 sheep, 1 pig, and to give me the assistance of
4 convicts for 18 months.

Bligh's
alleged
harshness.

Now, sir, do you not think I have been most cruelly treated! After I have come to this very distant country on promise from Government of a grant of land, to have the grant denied me, and to be compelled to engage in so very expensive and troublesome a concern as clearing land and erecting buildings on it without a grant of it, and this at the very time the house of one Paton, one of the prettiest in the place, was ordered to be pulled down by the Governor for having been built without a grant or lease of the land.

A choice of
evils.

Thus circumstanced, I have only a choice of evils—either again to undertake a long and dangerous voyage and return to England; to wait inactive till orders can be received from England, and in the meantime be ruined by the very high price of every necessary of life; or to begin to farm under the great disadvantages I have just stated, viz.,—no grant of the land, too small a quantity of stock, and scarce any convict labourers to assist me. I certainly should have returned were I not confident that every statesman, and particularly a man of your liberal way of thinking, will disapprove of the harsh conduct of Governor Bligh towards me; and trusting that no confidence I may place in His Majesty's Government will operate to my disadvantage, I shall venture to form my establishment; and I now most earnestly entreat that no time may be lost in sending orders for the grants to be made out; and as nothing encouraging, nothing liberal, nothing kind is to be expected from Governor Bligh, I hope in your instructions to him you will order the most liberal support to be given; and as the quantity of land is specified, and as the quantity of stock and assistance in men should bear a relation to the quantity of land, I beg you will specify these also; and when you consider the vexation and loss my brother and I have suffer'd, and that our rank in life is as high as that of any who have come out as settlers, and our capitals as large or larger for the extent of our land, and that he has served the King a great many years, many of them in this very country, whilst I have assiduously applied myself to scientific pursuits, and in the estimation of competent judges not without success, I hope you will order us to be put on as favourable a footing as any who have come out; and as Government ordered the Blaxlands to be allowed to purchase ten cows for every thousand acres, and to be allowed the assistance of eight or ten men for every thousand acres they hold, I hope we may have the same favour shewn us, and the Government herds are now become inconveniently numerous—not less than three or four thousand head; indeed, as all the good land near the principal settlements is occupied by the officers, civil and military, Government should not be backward in granting

Townson's
strictures on
Bligh.

Townson
and his
brother
ask for equal
favours with
others.

favourable terms to those who are now obliged to occupy land in unfavourable situations. The difficulties are really so great in forming an establishment in this country, and subsequently is attended with such harrassing care, that I can assure you, sir, it is safer for Government to err in being too liberal than too niggardly in their assistance to respectable settlers; and unfortunately for this colony, Governor Bligh, jealous of any man of any consequence, whether through his rank, fortune, or abilities, is much more disposed to thwart him in his exertions than to render him any assistance—to abridge your liberality towards him than to extend it. I do suspect that as soon as the real state of the colony is known in England, your office will not be troubled by many respectable men with capital soliciting a grant of land in this colony. Under a mild and fostering Government, with laws equitably administered, the colony will flourish; but where the cultivator and the merchant are perpetually harrassed by capricious regulations and arbitrary restraints, and the laws perverted to answer particular purposes, it cannot.

1807

10 Oct.

The difficulties confronting settlers.

The colony and its government.

Notwithstanding the freedom with which I write, I beg you will believe me to be, with the most profound respect.*

Sir, &c.,

ROBERT TOWNSON, LL.D., F.R.S.E., &c.

GREGORY BLAXLAND TO UNDER-SECRETARY CHAPMAN.

Sir,

Sydney, 15th October, 1807.

15 Oct.

After the liberal treatment I received from Government, I hope you will not attribute my not writing before to inattention; it proceeds from the difficulty I even now labour under of forming a correct opinion on most subjects in this new world. Most of the accounts of this colony appear to me much exaggerated on both sides; but I am sorry to say what has been reported respecting the late Governor's bad management is in part true; and I am fearful the check the colony has received in its infancy will be a long time getting the better off.

Blaxland's views.

I have a very good opinion of the natural fertility of the soil, and consider the colony able to maintain more inhabitants to the square mile than any country I have before seen. The climate is so mild, some sort of food is growing all the year round. There is sufficient good land in proportion to the bad, of which there is not more than sufficient to produce fuel and timber (for the use of the future inhabitants) with which it is covered, except a small part near the sea shore.

The soil and climate.

I have little knowledge on the subject, but consider this distant colony might be rendered of great advantage to the mother country immediately. The prisoners when transported here make useful

The inhabitants.

* See also Captain Townson's letter of 23rd September, 1807, ante, p. 286.

1807	members of society, and although the general description of persons
15 Oct.	sent out as settlers may not have been the most industrious part
Superfluous of grain.	of the inhabitants of their own country, they would have answered the purpose very well if they had been permitted. They have repeatedly over-stocked the colony with grain. The quantity that has been wasted by all accounts is very great. I have often heard the officers say they have been forced to feed their hogs on wheat to prevent its spoiling, and to make what little they could of it. The Governor would not take it at any price nor on any terms, nor even allow the spirits used in the colony to be made from it. Every possible means seems to have been pursued to ruin the settlers by importing grain and flour from England and India in preference to purchasing it in the colony, by keeping the prisoners from them and employing them in growing grain to oppose their exertions, and by monopolizing the black cattle from them—the most healthy and useful stock in the colony at this time. As a large breeder it benefits me at the present; but what is injurious to the colony must be hurtful to myself and family in the end. It also enables Mr. McArthur to sell his stock at a very high price— from sixty to eighty pounds for a single cow.
Live stock.	The cattle are badly managed, and the corn grown by Govern- ment, has not, nor ever can in my opinion, near repay the expence incurred. I never saw worse management.
Deserted farms.	By these and other means the settlers have been drove from their farms in great numbers. The land now remains unoccupied, and the buildings are most of them burnt down, by which and other means I suppose about half-a-million of money has been wasted. I trust other measures will be adopted before the spirits and industry of the settlers is quite gone and worn out. Most of them now appear very miserable objects. Without necessaries, or any means of procuring them, they have even now raised nearly two years' consumption of corn since the flood, and there is no market for it. Government will not take it except for debt. Wheat will also be a drug next year, and pork shortly after, without accidents. Their industry might be immediately turned to the culture of some articles for exportation before it is again exhausted after the stimulus the flood has given it. They want no premium to en- courage them, only permission to export their produce to the mother country, which, if complied with, the distance from England will in my opinion render this place one of her most useful and advantageous colonies. As a naval power it must require and employ more ships, more and better sailors belonging to the mother country, than a colony in a nearer situation, which expence of ships and sailors must all be paid and supported by the labor of the colonists, to do which at the present period would be considered by them highly advantageous in my opinion. There being certain articles of merchandize required in a civilized state, of which the
Production of wheat and pork.	
Export to England.	
Luxuries.	

want is so much felt that the price of labor required to attain them is not an object to be considered provided they can be had, for without them the inhabitants must return to a savage state, the horror and uncomfortableness of which no person can conceive unless it is at his door. The articles which will certainly grow most luxuriantly, and which in my opinion might be exchanged for others, the most necessary, and leave sufficient after deducting freight—I'll mention in the first place, wool of any fineness, but that must be a work of time; flax and hemp immediately, of which the smallest settler can take his share with more profit than the large one. I have began myself, and mean to persevere, which produce I request Government to purchase of me at their own price. This I make as a particular request. If it does not pay at first it may in the end, and it will enable me to pay for goods from England, and which I shall be certain of getting by that means; for whatever may be the intention of Government a Commissary may chuse to divide the spoil with his friends only—it is natural.

1807

15 Oct.

Raw materials for export.

I avoid making any regular complaint at present, although I cannot get my agreement complied with, either by the present Governor or the last. I would gladly take more real useful prisoners if I victualled them myself from the first. I have had from twelve to fifteen at times, but many of them of little utility. The best are kept or taken for the use of Government, which has compelled me to employ free men and to purchase premises ready built at a great expence. It would have been impossible for me to have built myself, as immediately it was discovered that I had a mechanic as one of my prisoners he was taken from me for the use of Government. I have one left, but cannot employ him only as an overseer. He has been repeatedly demanded, but, from his holding that situation, I have been permitted to keep him.

Blaxland's assigned servants and premises.

I have also been compelled to purchase a large quantity of cattle of Mr. Fleming* at a high price, as I could not get sufficient from Government herds. When I applied I was informed no more could be spared on my account. I have made no application lately, as I expect other measures will shortly be persued. Everything appearing to me rapidly proceeding to extremities in this most unhappy colony, consequently must soon change. As I wish not to make myself conspicuous shall say but little. Most business goes on worse than in the late Governor's time. I expect the present one has been much misled, which I trust he will soon see through. Governor King, from his long residence, could not have the same plea. I expect he was not guided by truth in his representations, as I found him not a *man of his word*. He landed more spirits in the colony in his time than was landed in Governor Hunter's

He purchases cattle.

Blaxland on Governor King.

* Probably the same man from whom the Blaxlands purchased the premises at the intersection of George and Market Streets. See J. Blaxland's letter of 16th October, 1807, post, p. 311 (note).

1807

15 Oct.

Charges of
corruption.Blaxland's
idea of mo-
deration.The pro-
ducts of the
colony.Necessity
for ex-
por-
ta-
tion.Blaxland
and the
captain.

from the best information I can get, which spirits he monopolized for himself and such few persons as he pleased to favor, most of which was afterwards retailed out in small quantities at from three to six hundred p. cent. profit for either cash or goods. Mrs. K. settled most of her bills that way. 'This was certainly a very profitable practice.* I shall not comment on it, having only mentioned one trifling transaction (in comparison with many others of this colony which happens now almost every day, and render our property insecure) that some idea may be formed of the conduct of the late Governors of this part of His Majesty's territories. I have avoided mentioning more than I have considered just sufficient to carry my point, for the future welfare of my family, the security of my property, and the ultimate success of my undertaking impressed me with that idea; and having adhered only to facts, as far as I could ascertain, if anything is considered improper in this letter, I trust it will be attributed to that motive, wishing as much as possible to avoid unnecessary interference.

I'll endeavour to explain myself again on the head I feel the most intrested (except the insecure state of property). I wish it to be understood as my decided opinion that the colony will at this time grow as much provisions in one year as will be sufficient for two without accidents, which by experience the settlers will be better able to guard against (excepting hogs for a short period longer). Consequently, if the inhabitants are not employed in growing some articles of exportation they must remain idle half the year, and in time a much greater part of it, as the stock that eats grass only encreases in number, without more clothes, tools, and other necessaries than can be purchased with the small sum of money spent in the colony by persons who receive salaries from England, and the money paid for grain by Government. If all required was purchased and none grown by Government, it must be more advantageous to all parties, and the only plan that can ultimately answer.

Myself and family met with exceeding bad treatment from Capt'n Boyce,† which, as I have sent Home a copy of the proceedings against him to the Transport Board, I trust he will be punished if they can be understood. I could proceed but badly alone, unused to the business, and the Governor and consequently the present judge openly countenancing the opposite party. I heard they accepted some presents on the occasion.

I request you to lay such parts of this letter as meets your approbation before His Majesty's Secretary for the Colonial Department.

I remain, &c.,

G. BLAXLAND.

* It is but fair to warn the reader that Blaxland had only been in the colony four months when King was relieved by Bligh; consequently his information must have been largely second-hand. One fact effectually disproves much of Blaxland's charge—it is, that King died a comparatively poor man.

† Master of the William Pitt, in which Blaxland, his wife and family came out.

DEPUTY-COMMISSARY FITZ TO UNDER-SECRETARY CHAPMAN.

1807

[Extracts.]

Sydney, New South Wales,

Dear Sir,

15th October, 1807.

15 Oct.

* * * * *

Governor Bligh and I are not upon the best terms, tho' I am not conscious how I have offended him; yet I will not act an invidious part, for whatever I may relate for your information shall be founded upon facts alone. The first unpopular act of his government was directing people to quit their houses—built within certain lines—which his Order terms lines of demarcation. It appears that Gov'r Philip marked out these lines, within which no buildings were to be erected. However, Gov'r Hunter and Governor King thought differently, and permitted several persons to erect houses thereon, and the latter granted leases for 14 years to some. Some of these persons, in the erection of their houses, have expended the fruits of many years industry. These are now forced to quit their dwellings without the least remuneration, except permission to remove the materials and to build upon any other unoccupied piece of ground. The only purpose to which the land thus obtained is the enlargement of the domain for the grazing of the Governor's horses, which before consisted of many acres—at least 150. Another evil attending this transaction is that it renders the tenure of property very insecure; for if one Governor can do away the act of a former one, all property of whatever nature must be uncertain. This has been verified, as the value of property has considerably fallen since these Orders have been published.

Bligh and Fitz.

Cancellation of leases.

The Domain.

Mr. Harris (the Naval Officer) has been dismissed from his situation, and Mr. Campbell (the merchant) appointed in his stead, the cause whereof I fancy will come before you in an official form; indeed, the numerous complaints that will be sent from hence will tend to shew the sentiments of the people of the colony towards Gov'r B. Mr. Gore (the Provost-Marshal and Police Officer) is the principal source of the present dissensions. He has been lately accused of some crimes which rendered a Criminal Court necessary to try him. The extraordinary methods Gov. B. took to extricate him from this predicament has been the cause of great misunderstanding between the Commanding Officer and the Governor, who stopped the proceedings of the Bench of Magistrates during his absence. He afterwards picked the officers that were to compose the Court, contrary to the usual custom and routine of the Corps; he also directed one Geo. Crossley, an attorney, sent here for perjury, to plead for Mr. G. as his counsel—which is likewise a deviation from the usage of the Court, as no persons plead therein except the parties themselves. Tho' the Court would not suffer Crossley to plead, yet this circumstance has tended to inflame the

The Naval Officer.

Mr. Gore.

His trial.

Bligh interferes.

1807

15 Oct.

The magistrates.

Robert Campbell.

Grain.

Cattle.

Duties on coal and cedar.

Fuel.

minds of both parties ; indeed, sir, this is a most unpleasant place to live in, and for my part I am anxious for the time when I may attend alone to my private concerns and no longer hold an official situation in it ; for as I have always endeavoured to avoid entering into any party disputes I have by this conduct given umbrage to both sides. Dr. Jamieson has also been dismissed as magistrate so that the magistrates that now compose the Bench are Mr. Johnstone, as Commanding Officer, Mr. Palmer (the Commissioner), Mr. Campbell, his brother-in-law, and Mr. Atkins, the Judge Advocate. As Gov'r B. has, by the great power he has thus given to Mr. Campbell, thrown great difficulties in the way of the mercantile transactions of the colony, I hope the Government at Home will see the impolicy of encouraging a monopoly. All purchases for Government are always made from Mr. Campbell. He has been made agent to nearly all the officers, yet he will not sell them any articles by retail, and they are therefore under the necessity of purchasing from the retailers, who regularly charge 100 per cent. upon the price that they give to Mr. C. ; so that the public generally pay from 2 to 500 per cent. upon every thing they purchase that is brought into the colony by Mr. Campbell's ships ; and in his situation as Naval Officer he has an opportunity to engage all the vessels that do not come consigned to any particular house.

I wrote you a long letter upon the state of the colony by the Buffalo, as well as by the Alexander, since which I have had no cause to alter my sentiments thereon. The grain grown by Government is much more expensive than that which they purchase, and is a great evil, as it prevents so much real currency from circulating in the colony. I have therein dwelt upon the impolicy of Government retaining such immense herds. A malady has lately affected the cattle of a settler in the neighbourhood of the Government herds, but fortunately it subsided. Had it attacked those herds a short time would have rendered nugatory all the expence that Government has been at to introduce cattle into the colony.

Another object that calls loudly for the interference of Government is the great duties charged upon the coals and cedar of the colony, which almost amounts to a prohibition. I was present at a calculation made by Mr. Blaxcell, who had a small vessel of 100 tons, which had been for a cargo of coals, when, after charging the expences of the vessel, the duties and other Colonial fees upon clearing out and returning with the cargo, and supposing he had sold the coals for 50s. the ton, he did not clear above thirty shillings by the trip to indemnify him for the wear and tear of the vessel. Fuel in this place is so very scarce that it cost upon an average last winter 5s. per day for wood, till a friend kindly offered me the loan of money to purchase a horse and cart, which as summer is now commencing I mean to sell again and repay him.

The inhabitants from Norfolk Island are now about to be removed to the Derwent, as only two persons have agreed to go to Port Dalrymple. To be sent there is considered as another transportation. The harbour is bad, the climate very cold, and hitherto not any grain has succeeded there, being cut off by the frosts. This, I think, however, may arise from error on the part of the cultivators, by sowing their grounds too early, or by trying to raise grain not suitable to the soil or climate. A land communication has lately been found out between that settlement and the Derwent, which is not more than 70 miles distant*. As it must be a great expence to Government to have two establishments within such a short distance, would it not be better to consolidate these, and increase the establishment at the Coal River, where, from all accounts, the land is very fine in the interior? All the land within many miles of the sea-coast is very barren. Now, as the persons who have surveyed these coasts would only observe the land on the coasts, I think it would be of great service if some settlement was formed still more to the northward, as in that case there might be there cultivated such articles as are the produce of warm climates, such as sugar, cotton, &c., &c., and thereby render this colony less dependent upon the East Indies for these supplies, which we ought, from our extent of coast and variety of climate, be able to raise ourselves.

1807
16 Oct.
Evacuation
of Norfolk
Island.

The
settlements
on Van
Diemen's
Land.

Tropical
products.

Lewin, the naturalist, is now collecting a box of seeds of the plants, &c., of the country, which I shall send to you by the earliest conveyance. I beg you will have the goodness to give my best respects to Mr. Gordon, Mr. Benn, Mr. Stewart, and the rest of the gentlemen in the office, and remain, &c.,

Friendly
messages.

ROBERT FITZ.

ANDREW THOMPSON TO GOVERNOR BLIGH. (Colonial Secretary's Papers.)

Sir,

Hawkesbury, 16th October, 1807.

16 Oct.

I beg leave to inform your Excellency that I went into Toongabby yards and exchanged eight of the inferior cows, with the bull, and obtained good and sufficient ones in their room, which will fully answer the purpose and make a great difference and advantage in your Excellency's flock, which, from pasturage and attention, will be one of the best in the colony to their number, the cows being now again all in calf; also, all the other stock is in a prosperous state, as per return inclosed. I did not get up your Excellency's pigs from Castle Hill, as one of them had just farrowed and could not travel, but will on Monday next. We are planting the maize to the best advantage by manuring all the upper lands, &c., which will be done in a day or two, when we will turn our prompt attention towards the buildings and inclosures until harvest, that will shortly come on, as all your Excellency's wheat

Cows for
Bligh's
farm.

Swine.

Maize.

Buildings.

* See Laycock's account of his journey, ante, p. 255.

1807

16 Oct.

in the upper lands is now in ear, which, with the general crop this extensive settlement, has every appearance of giving plentiful and joyful harvest to make the people happy under your Excellency's auspicious and benign government, the beauty and gratification of which would be highly enhanced should your Excellency, amidst your many and important duties, be pleased to visit our ample plains in the full fruition of harvest.*

Your Excellency's devoted, &c.,

AND'W THOMPSON

17th October, 9 o'clock p.m.

Deeds of
Bligh's
farm.

P.S.—I open this on the receipt of your Excellency's to inform you, if you please, that I delivered you the transfer of Simps estate, and that your Excellency put it, with other papers, I then into a desk on the bedroom table upstairs, and has no other payment of consequence relative to estates up here except the inclosed agreement of the overseer's, which I had kept with a design of settling with him myself, if pleased. He is a very serviceable, attentive active man at present on these estates. I will take the liberty of waiting on your Excellency in a week's time with the little curiosities, &c. I have taken the liberty of sending a few, just caught live fresh-water fish, hearing Captain Putland had a desire for such, and would be glad to send more at any time if acceptable.

JOHN BLAXLAND TO ———†

Sir,

New South Wales, Sydney, 16th October, 1807

Arrival of
John
Blaxland

I arrived at this place the 3rd of April last, soon after which I deliver'd my papers to Governor Bligh, who has, I am sorry to say, totally perverted what you so kindly solicited: what, when I left England, I understood Mr. Windham had complied with, to whose letter—No. 1†—I refer you.

and his
brother
Gregory.

My brother, who arrived here about twelve months before, and engaged with Government to employ a capital of £3,000, granted him 4,000 acres of land, 40 convicts, and was allowed Governor King 78 cows by paying for them by bills on England at £28 p'r head. He was provided with a passage to this colony for himself, family, and servants, and was permitted to be on shore eighteen months.

Blaxland's
family.

I came here with a large family at my own expence, consisting of Mrs. Blaxland, four daughters, a governess, two female servants, a bailiff, a carpenter, a man for agricultural purposes, and a landman, and as a remuneration Mr. Windham directed the stock I should

* See also ante pp. 262, 267, 270, and post, pp. 389, 410, and 450.

† There is nothing to show to whom this letter was sent, beyond the opening paragraph from which it is evident it was intended for some gentleman in England who had interested himself in Blaxland's behalf, most likely Sir George Shce, who succeeded Cooke at the Colonial and War Department. On the 16th October, 1807, Gregory Blaxland addressed a letter to Windham complaining of similar treatment at the hands of Governor Bligh.

‡ Doubtless that of 31st July, 1806, ante, p. 117.

obtain was to be paid for in produce of the land, either wheat or corn, and not young female calves, which is the only thing the Governor chuses to take—see agreement No. 2.* 1807
16 Oct.

I must state to you, sir, that I left England with a disposable capital of £7,000,† and that I shew'd to the Governor's satisfaction that I was possessed of the property I agreed with the Government at Home to employ in this colony; notwithstanding which he will let me have only 60 cows, and the mode he has pointed out for payment tends to injure me very much—by taking the female calves, restricting me to so many generations, and not permitting me to make a return under four years. The Governor gives as a reason that he has not cattle sufficient to spare me more, but from what I have seen of the different Government herds (in the whole amounting to 3,554) the increase would be more certain were they more generally distributed among the settlers, as there were at the Seven Hills, at the time I drew my cows, two yards, not more than a quarter of a mile apart, in one of which was a herd containing 506, and the other 450. The consequence is that the feed about them is not sufficient for so large a number, and in the winter season, when the rains set in, being pent so close together, they poach the yards all over and stand up to their knees in mud. There is not a spot for them to lie down on, and when a calf drops in that state it is very liable to be lost. The people about them having no interest in the concern, the same attention will not be shewn as if they were in the hands of the settlers; and should a murrain break out amongst them it must prove of the most fatal consequences. The manure is likewise lost, which is much wanted for cultivation in the gardens and cornfields; so that a settler would get great support for his family from his garden, and with two or three cows would have milk and consequently be enabled to make a return by the produce of his dairy. But how great is the difference: at a late sale of some of Mr. McArthur's stock, his cows on an average fetch'd £70 p'r head, which puts it out of the power of the lower class of settlers to get them, and they are now compel'd to use as a substitute for milk, tea at twenty shillings a pound, and sugar of the most ordinary kind at five shillings a pound. The colony is drained of specie in payment of the enormous prices of tea and sugar; but if the cattle were more generally distributed those drains and expences would be considerably lessen'd, and the poor starving settlers would be gradually bettering their conditions, by which means they would have an interest in supporting the good order of the colony.

Blaxland's capital.

Cattle allowed him by Government.

Mismanagement of Government herds.

A contrast.

* The terms of the agreement were that Government should furnish Blaxland with 60 cows, 1 bull, 30 sheep, 1 ram, and 4 oxen. The returns were to be made at the rate of 20 shillings for every cow at the end of every two years until the whole was paid off. The oxen and bull were to be returned at the end of two years, or paid for; but nothing was said about the sheep.

† On the question of the amount of capital invested by Blaxland, see his evidence—*Trial of Lieutenant-Colonel Johnston*; Bartrum: London, 1811, pp. 288 and 303.

1807

16 Oct.

A distress-
ing scene.

The country now exhibits one scene of distress—a large portion of the farms deserted, the buildings down or tumbling down, the poor creatures almost naked, and many of them nothing but maize to eat.

Bligh and
Blaxland.

I have remonstrated with the Governor and told him he had not fulfil'd the engagements entered into by the Government, and observed that, from different conversations I had had with Mr. Chapman respecting the cattle, I was assured there would be no difficulty in obtaining them. At this he only laugh'd, and said, "What did a Secretary of State know about cattle; he should act as he pleas'd." In the situation I am now placed I shall be little more than a stock breeder for the colony; and at the expiration of the four years I shall have been at all the expence and labour of rearing the female calves and shall have only the male calves left for my reward. Allowing for accidents and what I gather'd from Mr. Jamieson, the principal stock-keeper, I have no reason to expect more than 50 calves the first twelve months, as some of the cows he put out are old and had but just had their calves taken from them. The next eighteen months I may expect 50 more, and the same number at the period of my agreement. Supposing them to be half males and half females, after paying back 60 I shall have left only fifteen female calves, which will not more than keep them at the original value at which I received them. But not being able to make a return untill after four years, and then restricting me to so many generations, instead of Mr. Windham's compliance being beneficial to my family it will prove the greatest injury—according to the mode of payment required by the Governor. I must, therefore, solicit your interference to get the original agreement fulfill'd.

The
agreement
concerning
cattle.Blaxland's
land grant.

Making salt.

The Governor has granted me 1,200 acres of land between Sydney and Parramatta* which was before considered of no value, at which place I have made an embankment and inclosed about 100 acres. It was subject to the overflowing of the river, but I have erected a dwelling and a boiling house for the making of salt, and have appropriated about eight acres of land for the works. One of the men I brought here with me was many years engaged in that line of business in England. He says the reason the salt that is made in this colony will not keep meat is that the bitter is not extracted from it. The remaining inclosure promises to be very productive, as it resembles the marshes on the banks of the Thames, and should I find it succeed I have more of the same kind

* Under date the 12th June, 1807, John Blaxland advertised in the *Sydney Gazette* as follows:—"Whereas His Excellency the Governor having granted to John Blaxland a certain track of land, known by the name of Newington Farm, bounded by the road leading to Parramatta, Duck River, Hacking's Creek, and the river leading to Parramatta. All persons are hereby required not to trespass, as they will be prosecuted as the law directs.—JOHN BLAXLAND, Parramatta, 12th June, 1807." Hacking Creek is now more generally known by the name of Haslem's Creek.

propose taking in. It will be more certain than the 1807
bury in consequence of the floods it is subject to—and 16 Oct.
to be equally valuable.

ing my property likely to be soon swallow'd up, and things Milk
o unexpected a turn, I thought it prudent to join my vendors
with my brother's, and have purchased a house and shop at
where I now reside. We milk twenty-nine cows, and sell
to the inhabitants, which is very eagerly sought after,
rily by the poorer class; and to secure the whole of the
rom our stock, we have opened a butcher's shop, and sell and
p'r lb. lower than any other person's. In consequence butchers.
vast number of pigs destroy'd at the late flood at the
bury, it will be two years before they become plentiful.
at looks very promising, and if no accident happens the
crop will produce enough for two years. I have men-
ie above circumstances to prove to you that I have not
active since my arrival in this country, and that you will
e with your interest in getting a further supply of cows, Paying for
give but little milk, and it requires a great number to keep the cows.
supplied, and that the first intention of paying for them
t or corn by equal instalments in seven years may be
d; for was the mode of payment just that has been
l by the Governor, he should take the males as well as the

sorry to be compel'd to state so many disappointments Blaxlands
sequently, unpleasant circumstances; but when the purchase a
r heard that Mr. Fleming had sold* us the premises in lease.
now reside, he rode up and was very angry, and several
peated we should never hold them after the lease expired,
as only eleven years to run, for which we gave £900.
ie way we are carrying on the business we are compel'd to
a considerable sum of money in enlarging the milk-houses,
nd slaughter-houses; and as the premises are at the upper
he town, and not near any Government buildings, I hope
t we may be allowed to have that security in them that
ik our expences and exertions merit.

hemp and flax grow very well. We have now sowed of Flax and
er two acres—as much as we could get seed for; and if hemp.
attention is paid to its cultivation a large quantity might
to England.

fearful I shall tire your patience with so long a detail; Accounts
wing how anxious you are to learn the real state of the sent to
I have given a letter to a Mr. Williams, who has been here England.
ne, and from what I have seen of him you may rely on the

plan of the Town of Sydney by Meehan (31st October, 1807, post, p. 366), two
ear as being leased by John Fleming. They were situated on opposite sides of
(George-street of to-day), at the spot where Market-street now intersects it.

1807
16 Oct.

information he gives you ; and I have likewise given a letter to Mr. Fleming, of whom I bought the premises I now reside in, and who was serjeant-major in the New South Wales Corps some years, and has been sixteen years in the colony. He has saved money, and returned to England with a large family. He was originally a convict, but my motive for wishing you to see him was that he might repeat to you the conversation that passed between him and the Governor, when he declared we should not hold the premises again after the lease was expired ; and as we gave £900 for it, and only eleven years for it to run, and as it is situated at the upper end of the town, and we are obliged to lay out a considerable sum of money to enlarge the milk-house, sheds, and slaughter-house, I hope and beg you will assist us in getting a further term in them. Indeed, I am so at a loss how to act that I shall feel myself particularly obliged by your advice. The Governor is behaving so very arbitrary that I do not consider either my person or property safe a single hour ; indeed, I think it will not be long before I am sent to gaol. He has appointed Mr. Campbell Naval Officer, by which means he has, from the local regulations of this port, those advantages as the principal merchant which the laws of England have very wisely ordered not to be. There have been reasons to suppose they have opened the letters of individuals ; in fact, every species of injustice and oppression is exercised in its full force. He openly laughs at the laws of England, and has been heard to say, "What does he care for them ; he will make laws for N.S. Wales which every son of a bitch shall obey." He has become proprietor of a considerable number of farms by purchase, &c.,* and has drawn stock from the Government herds to a great extent, which, with the handsome salary Government has allowed him, with other advantages, gives him a great superiority over every other person in the colony ; and he appears most decidedly to attend to his private interest, having selected fifteen of the best men from the Government settlemen at Castle Hill for his own farm, and giving me, after havin ransack'd all the hospitals to make up my number of twenty-one which is all the men I have been able to obtain out of eight allowed by Government. Some of these are invalids, and th others the most atrocious characters.

The Governor's alleged severity.
Robert Campbell.

Bligh's farm.

Useless labourers.

Relying on your assistance in getting my original agreeemer fulfill'd, I beg to subscribe myself, &c.,

JOHN BLAXLAND.

King's claim on the wild cattle.

N.B.—I have been more surprised since I found out that th late Governor had taken from Government herd an immens

* This is an exaggeration. Bligh certainly had a farm at the Hawkesbury (ante, p. 28 note) ; and it would seem, from evidence which came out at the trial of Johnston, and at the examinations of officers which took place immediately after Bligh's arrest, that son of the labour and stock of Government were diverted to it.

number of cattle as a claim of little or no utility, and I have been refused them for good and substantial payment, flattering myself they might be much more advantageously placed in our hands, as grazing has been our occupation from very early life. Mrs. Flower, whom we engaged as a governess for our children, has acted in that way as compels us to send her Home. Should she apply to return again to this country, either in the above name or that of Charlotte Rutter, I hope and trust you will not permit her to return.

1807
16 Oct.

D'ARCY WENTWORTH TO VISCOUNT CASTLEREAGH.*

My Lord, New South Wales, 17th October, 1807.

17 Oct.

When the circumstances are known to your Lordship that are the cause of your being troubled with this address, I shall, I trust, be excused for its unavoidable irregularity.

D'Arcy
Wentworth.

Having been used with almost unexampled rigour and, I can with truth say, undeserved severity by His Excellency Governor Bligh, without having been able to obtain from him the slightest information of his reasons, or having been allowed any opportunity to justify myself, I considered it proper to prepare a memorial to your Lordship, containing the particulars of the injuries I have sustained. On the 11th inst. I transmitted to Governor Bligh my memorial and accompanying documents unsealed, and requested him to forward the packet to your Lordship. On the evening of the 12th the packet was returned, with a letter from the Governor's Secretary, dated on the 10th, stating that His Excellency declined sending my representations to your Lordship.†

Alleges ill-
treatment
by Bligh.

During the two days which elapsed betwixt the date and the delivery of the Secretary's letter, the Aurora, a ship by which Governor Bligh sent dispatches, sailed for England, and by this management my memorial to your Lordship has been kept back.

Having now no choice but to submit without an effort to defend my character against the accusations of the Governor, or to act without further reference to him, I have taken the liberty to enclose herewith the packet returned to me by His Excellency; and, fortunately, the sailing of another ship gives me reason to hope it may reach your Lordship's hands nearly as soon as if Governor Bligh had transmitted it with his dispatches.

Wentworth
appeals to
Castlereagh.

I have, &c.,

D. WENTWORTH,

1st Assi't Surgeon.

* This letter and its enclosures were sent by Wentworth to Earl Fitzwilliam, by whom, on the 18th April, 1808, they were forwarded to Viscount Castlereagh, with a letter urging that Wentworth's case should be inquired into.

† Bligh excused himself from sending on Wentworth's memorial on the ground that it was "not for him to judge by what ship you wish to send it."

seventeen
years.

of an Assistant Surgeon in this colony seventeen years, tw
which he has had the honor to hold His Majesty's Comm
that he has always received the approbation of his superior
from the time of his appointment untill the ninth of Ju
when it was his misfortune to be put under an arrest
complaint of Captain Edward Abbott, of the New South
Corps, and to be brought to a Court-Martial on the eighte
July at the instance of that officer.

He appeals
to the Secre-
tary of State.

Your Lordship's memorialist would not presume to
your attention to the detail of an affair which has been pu
investigated and definitely decided upon, were it not t
conceives that event to be the sole cause of the wrongs he
suffering, and for the redress of which wrongs he takes the
respectfully to appeal to your Lordship.

Sends report
of trial.

Your memorialist fears your Lordship might consider
proper if he were upon this occasion to urge anything in ju
tion of his conduct in the affair which occasioned his being t
a Court-Martial. He will only therefore submit to your L
the official copy of his trial and the copy of some papers cor
with it. By these your Lordship will see that your Lor
memorialist has been found guilty, and has been reprimand
disobeying the orders of a captain in the New South Wales
although your memorialist clearly proved on his trial that
declined to comply with such orders because they appe
him to be in direct opposition to orders previously given
Excellency Governor Bligh, and because your memorialist
that he should expose himself to censure from the Govern

A public
reprimand.

On the twenty-third of July your Lordship's memorialist
a public reprimand on the Garrison Parade,† and he was i
by the Commanding Officer of the troops that he was
from arrest. The same day the Principal Surgeon acquaint

Parramatta. Your Lordship's memorialist obeyed this order, and continued to do so untill the twenty-fifth of July, when he was ordered to be suspended from his situation untill His Majesty's pleasure should be known.* 1807
17 Oct.

Unable to conjecture any cause for this rigorous treatment, your Lordship's memorialist desired to be informed of the reasons of his suspension, and he was at last acquainted that the Governor declined assigning any other reason than that he disapproved of your memorialist's conduct; and in answer to a request for permission to return to England, he was informed he must wait here for His Majesty's decision.†

Alarmed at being suspended from his office without any reason being assigned, and apprehensive that some injurious representation unfounded in truth might be made against him to His Majesty's Government, your Lordship's memorialist thought it prudent to forward through the Principal Surgeon a letter,‡ dated the thirty-first of August, to His Excellency Governor Bligh, in which he recited the circumstances he has now stated to your Lordship, and concluding with a respectful request that the Governor would be pleased to acquaint him with what offence he was to be charged. Suspended from his office.
Wentworth asks for an explanation

On the eleventh of September the Principal Surgeon informed your Lordship's memorialist that he had transmitted the letter to the Governor, but had received no answer thereto. but receives no answer.

Suspended from fulfilling the duties of his office without even an alleged crime, degraded in the eyes of the colony, and altogether unacquainted with the cause of such unprecedented severity, your Lordship's memorialist has now to look forward to a long and dreary period of undeserved humiliation. His only consolation will arise from the hope of being permitted to defend himself against his accuser before an unbiassed tribunal. It is from your Lordship that your memorialist humbly implores that justice; and untill an investigation of his conduct does take place, he respectfully trusts your Lordship will not suffer your mind to be prejudiced against him by accusations which either have no evidence to support them, or, if any, of so little respectability that they cannot be confronted with the accused person with any hope of obtaining belief. Asks for suspension of judgment.

D. WENTWORTH,

1st Ass't Surgeon.

* Post, p. 326, and Bligh to Windham, 31st October, 1807, post, p. 368, and its enclosures. Cf. also the Court-Martial on Wentworth, held at direction of Lieutenant-Colonel Johnston after the deposition of Governor Bligh, post, p. 522.

† At the trial of Lieutenant-Colonel Johnston, Bligh stated that Wentworth was reprimanded for disobedience of Captain Abbott's orders, and was afterwards suspended for a totally different offence, viz., "Keeping men on the sick list that he might employ them for his own private purposes." The substantial ground of Wentworth's complaint, that he was not allowed an opportunity of defending himself, was however somewhat disingenuously ignored by Bligh.

‡ Post, p. 328.

The several warrants being read, and the President, members, and Judge-Advocate being sworn,—

The charge.

Mr. Darcy Wentworth, Assistant Surgeon, being brought before the Court charged by Capt. Edw'd Abbott, of the New South Wales Corps following charge, vizt. :—" For contempt and disobedience of his Majesty's orders, the seventh instant, July, in refusing to receive into His Majesty's Hospital at Parramatta two Government servants, ordered therein by me, his superior officer, to the prejudice and good order of His Majesty's service."

Plea—Not Guilty.

Before the prosecutor entered into the evidence, the prisoner requested permission to read a paper. Court cleared, when it was the opinion of the Court that his request is inadmissible.*

Captain Abbott's statement.

Captain Edward Abbott, the prosecutor, presented to the Court the following statement, No. 1†, which was read by the Deputy Judge-Advocate.

Q. from Capt. Edw'd Abbott to the President, Major Geo. Johnston, being sworn : Will you permit me to ask you if you do not consider having the chief command at Parramatta?—*A.* Most certainly.

Q. from Prosecutor to Lieut't Brabyn. Did you not put Mr. Wentworth the assistant surgeon, under an arrest by my orders ; and, if you did, what was his answer?—*A.* I did ; Mr. Wentworth said he should attend to his arrest, but his conduct had been such that he could easily vindicate himself. I desired me to acquaint Capt. Abbott that as he was under an arrest, he could do no more duty.

Captain and magistrate.

Q. by Prisoner to Captain Abbott. Capt. Abbott, I request you will inform the Court what public situations you held in this colony?—*A.* Captain of the New South Wales Corps and magistrate at Parramatta.

Q. By which of those situations do you think you derive an authority to order me to receive the Government servants who are sick into the Hospital?—*A.* In both capacities.

* The paper referred to was as follows :—

Mr. President, and Gentlemen of the Court,—

Sydney, 18th July

I have pleaded not guilty to the charge that has been brought against me, as Senior Assistant Surgeon at Parramatta, of contempt and disobedience of orders of my superior officer, in refusing to receive two Government servants into the General Hospital there.

2. Did you possess that authority before the Rev'd Mr. Marsden left the colony?—A. I conceive that I had the authority had I chosen so to execute
1807
17 Oct.

Q. *by the Court.* Have you, as commanding officer and resident magistrate Parramatta, ever, previous to the 7th instant, sent any orders to Mr. Assistant-Surgeon Wentworth, and were such orders obeyed by him?—
Wentworth's superior officer.

I have, and they have been obeyed.

Q. *by Prisoner.* Has it been customary in this colony, or is it consistent with the established rules of the King's service, for military officers in prior situations to send their orders to any of His Majesty's officers verbally by convicts?—A. I have myself received verbal orders from Gov'r by convicts, being constables; and I believe most officers in the colony have done the same. Messages by convicts.

Q. Have I not frequently been in the habit of attending you and your family in my medical capacity during my former residence at Parramatta, and did you not receive from me on those occasions every respect and attention due to your situation?—A. I feel great pleasure in being able to give affirmative to the question, and to add that your conduct for the space of seventeen years—the time I have known you—has been perfectly that of an officer and a gentleman. Wentworth's professional labours.

Capt. Abbott proceeded in the prosecution, and calls Mr. Knight, the Superintendant at Castle Hill, who, being sworn:—

Q. *by the Prosecutor.* Did not you send two Government servants on the instant to me; if you did, on what account?—A. I did send two Government servants to you for the purpose (as it appeared to me they were capable of work) of their being sent to the hospital. Men returned to the hospital.

Q. *by the Prosecutor.* Do you not know that the two men you so sent in had been discharged out of the hospital, by an order from His Excell'y the Governor, but a few days before, and ordered by him to public labour at Castle Hill?—A. I received these men on Friday, the 3rd, from Parramatta, whose orders I cannot say, but was informed by Mr. Oakes's.

Q. Were these two men in a worse state of health when you sent them to the hospital than they were when you received them?—A. I think they were nearly the same.

M.——— F———, a constable at Castle Hill, sworn:—

Q. *by Prosecutor.* Did not you bring me two Government servants on the instant, July?—A. I did.

Q. Were they not cripples, or men with bad sores, and incapable of labor?—A. They were, and incapable of labor. Incapable of labour.

Q. Did I not desire you to take them to Mr. Wentworth, the Assistant Surgeon, to be admitted into the hospital?—A. You did.

Q. Did you not bring them back again to me? Inform the Court with what answer from Mr. Wentworth.—A. I did bring them back, and Mr. Wentworth said he would not receive them without an order from H.E. Mr. Bligh or from Mr. Jamison, the Chief Surgeon.

Q. Did I not direct you to take them to Mr. Wentworth a second time, if he would not receive them to leave them with the overseer?—A. I did, and I took them to the clerk of the camp.

Q. Where was I at the time I gave you those directions?—A. At Capt. Arthur's house.

Q. *by the Court.* Did you carry a written order or a verbal message from Capt. Abbott to Mr. Wentworth, and are you a convict or a free man?—A. It was a verbal message, and I am a prisoner. The convict messenger.

Q. *by Prisoner.* When Capt. Abbott sent you with this verbal message to me respecting L—— K—— and J—— G——, the two men sent by Capt. Abbott to me, did I not desire you, in ans'r thereto, to give my

1807

17 Oct.

The
returned
patients.

compl'ts to Capt. Abbott and tell him that as those two men had been discharged out of the hospital by the express orders of His Excellency could not receive them again without an order from the Governor or the Principal Surgeon?—A. You said, "My man, those two men were out of the hospital in opposition to me and put into Parramatta Jail from thence sent to Castle Hill, and now they are come back expecting I will take them into the hospital."

Q. Did I not expressly tell you, as these men were discharged Governor's orders I would not receive them again without an order from him or the Principal Surgeon?—A. You did.

Q. Did I not at the same time desire you to inform Captain Abbott altho' I would not receive them into the hospital without an order from Gov'r or Principal Surgeon that I would render them every assistance in my power?—A. You did.

Q. *by Court.* How long a time had elapsed between their discharge from the hospital and that of Capt. Abbott returning them to it again?—A. I do not know.

G—— S———, Government Clerk at Parramatta, sworn:—

Evidence of
the clerk.

Q. *by Capt. Abbott.* Did I not send you with a message to Mr. Wentworth the 7th inst., July?—A. You did.

Q. Relate to the Court such message and Mr. Wentworth's answer?—A. The 7th of this present month, July, at about the hour of three o'clock an orderly soldier came to me saying that Capt. Abbott wished to see me and went accordingly, when Capt. Abbott desired me to wait on Mr. Wentworth and ask him if the two men (meaning the two prisoners sent from Castle Hill that day) were fit objects to be admitted into the hospital. I then told him Capt. Abbott requested they might be admitted there and saw Mr. Wentworth. When I asked him the question, he replied he would not admit them unless by order of the Gov'r or the Principal Surgeon Jamison, for as the Gov'r had taken upon himself to discharge them he was the most proper person to order them in again, unless satisfied him for what cause he had so taken them away.

Q. Have I ever sent you with order to the Assistant Surgeon in charge of the hospital at Parramatta to receive Government servants and to punish them?—A. You have.

Q. To your knowledge, have not such orders been obeyed?—I have and seen them obeyed.

Acting as
messenger.

Q. Have you not brought me from the hospital reports signed by the Assistant Surgeon when men have been discharged, whether they be by order of Gov't or not?—A. I have brought reports to Capt. Abbott, which have been signed by the Assistant Surgeon, and which I immediately took as the hospital mate brought them to me for that purpose.

Q. Are not the monthly returns of H.M. Hospital at Parramatta made up by the Assistant Surgeon?—A. They are.

Wentworth's
answer to
Abbott.

Q. *by Prisoner.* When Capt. Abbott sent you with this verbal message to me respecting L—— K—— and J—— G——, did I not desire you to inform Capt. Abbott that those two men had been discharged from the hospital but a few days before by the express orders of H.E. the Governor that I would not receive them again without an order from the Governor or the Principal Surgeon; and were not those the particular reasons I gave to you in answer to Capt. Abbott's message to me by you, to receive those people?—A. When I waited on Mr. Wentworth he said he would not receive them unless by order of His Excellency the Governor or the Principal Surgeon, for as the Gov'r had taken upon himself to discharge them he was the most proper person to order them in again.

Wentworth
and the
Governor.

Q. Did I not desire you to tell Capt. Abbott that as the Gov'r had taken upon himself to discharge them out of the hospital, without inform

tive for so doing, or even condescending to speak to me on the
 hat I would not receive them again without an order from him or
 pal Surgeon?—A. No, sir; the answer was as the Gov'r had taken
 self to discharge them, he was the most proper person to order
 gain.

1807

17 Oct.

an Capt. Abbott desired you to ask me if they were proper objects
 spital, did I not desire you to inform him, in answer thereto, that
 not been proper objects they would not have been in the hospital
 d were not those the particular words I used on that occasion?—
 I asked Mr. Wentworth if they were proper objects, he said
 therwise he should not have kept them there so long.

I not also desire you to inform Capt. Abbott, that altho' I would
 re them into the hospital I would render them every medical
 ?—A. Yes; you did. Men
returned to
hospital.

an the returns which you say were furnished Capt. Abbott of the
 scharged from the hospital, did you not consider them necessary
 idance, as director of public works?—A. I did.

you on this occasion bring me a verbal message or a written order
 t. Abbott?—A verbal message.

you a prisoner or a free man?—A prisoner.

ie Court. Did you ever ou any former occasion convey an order or
 rom Capt. Abbott to Mr. Wentworth which was obeyed by him?

ie prosecutor closed his evidence.

ned to half-past 10 o'clock on Monday morning, 20th July, 1807.

net.

isoner eutered on his defence, and calls Franc's Oakes, Chief Wentworth's
defence.
 : at Parramatta, who being sworn :—

'risoner. State to the Court the situation you hold at Parramatta?
 at of Chief Constable.

you know L—— K—— and J—— G——?—A. I do.

re they considered as patients in the hospital the 3rd of this
 uly?—A. I believe they were.

not His Excellency the Gov'r send you a written order to take
 n thence, and send them to public labour at Castle Hill?—A. No.

not the Gov'r give you a written order to take them from under
 ge and send them to Castle Hill?—A. K—— he did, but not

not the Gov'r give you a written order to take all the convalescent Con-
valescent
patients as
servants.
 employed in my domestic service and send them to Castle Hill?—
 word *all* was not implied, but G—— was sent in consequence of

you not know that L—— K—— was permitted to remain at my
 ring my absence in Norfolk Island?—A. He was there part of the
 whether with permission cannot say.

you not know that Mr. Mileham, my predecessor at Parramatta,
 of the convalescents for domestic purposes?—A. I believe he did.

Thomas Wheeler, sworn :—

'risoner. Are you the clerk at the public dispensary at Parramatta? Evidence of
the clerk
at the
dispensary.
 m.

s you present at the dispensary on the 7th inst., when G——S——
 ne with a message from Capt. Abbott respecting L—— K—— and
 ——, two Government men?—A. I was.

ate what passed on that occasion?—A. When S—— came to the
 y he gave Capt. Abbott's comp'ts to Mr. Wentworth, and desired
 whether L—— K—— and J—— G—— were fit objects to be taken

1807

17 Oct.

into the hospital. Mr. Wentworth said that had they not been if they would not have been there. S—— asked Mr. Wentworth if receive them into the hospital. Mr. Wentworth replied, as His E thought proper to discharge these men by a written order to Mr. (that purpose, he would not take them into the hospital without from His Excellency or the Principal Surgeon. S—— then left pensary, and Mr. Wentworth desired him to be called back. I when Mr. Wentworth desired him to be particular in regard to his to make no mistake—that the state the men were now did not their lives, but to inform Capt. Abbott that tho' he did not take for the reasons before assigned, yet as out-patients he would render every assistance that lay in his power.

Q. Did I not supply these men with my own dressings, and apply with my own hands?—A. You did.

Q. Did I not give J—— G—— my own corn to make poultice legs?—A. Yes.

Mich'l Wallace, sworn :—

A
wardsman's
evidence.

Q. by Prisoner. Are you not one of the wardsmen belonging to Parramatta Hospital?—A. Yes.

Q. Was you present at the dispensary on the 7th inst., when G—— came to me with a message from Capt. Abbott respecting L—— K—— J—— G——?—A. I was.

Q. Relate what passed on that occasion?—A. S—— came with Capt. Abbott's commands to Mr. Wentworth to know if those two men were objects to be taken into the hospital. Mr. Wentworth said they were not had they not been so he would not before have had them there. He then asked you if you would now take them in. You answered, because His Excellency had discharged them by an order to Mr. Wentworth, therefore you could not think of receiving them without an order from the Gov'r or the Surgeon-General. S—— then went away, but was called again, and was told by you to make no mistake in telling Capt. Abbott the same words you had told him—that they were not in any danger of their lives, and any assistance that could be given them as out-patients would afford them until such time that you should receive an order to take them into the hospital.

Mr. Cleghorn, sworn :—

Evidence of
the Surgeon
in charge.

Q. by Prisoner. Are you the surgeon who has now the charge of the hospital at Parramatta?—A. I am at this time.

Q. When did you take on you that charge?—A. On the 12th inst.

Q. Have L—— K—— and J—— G—— applied to the dispensary for medical assistance since you took the charge?—A. Yes.

Q. Inform the Court the state of their health when they first applied to you for such assistance?—A. L—— K—— had a piece bit out of his leg but he might have done duty. I should not have taken him in as a patient. J—— G—— had a bad ulcer on his leg, which renders him incapable of doing any duty.

Q. Were the lives of these men endangered by my refusing to take them into the hospital?—A. Not the least.

Q. Did you find any dressings in the hospital fit for the particular complaints they laboured under when you took charge of the hospital?—A. None whatever. In consequence I applied to the Principal Surgeon at Sydney, and was answered there was none at Sydney.

Evidence
of the
Principal
Surgeon.

Thomas Jamison, Esqr., Principal Surgeon, sworn :—

Q. by Prisoner. Did you ever communicate any orders to me, either written, either from His Excellency the Gov'r or from yourself, that

to obey such orders as I might receive from Capt. Abbott respecting the sick at Parramatta?—A. No such orders were ever given to me; consequently I could not communicate them to you.

1807

17 Oct.

Q. Had I not a discretionary power, as His Majesty's Assistant Surgeon at Parramatta, who I was to receive into the hospital as patients?—A. I should apprehend you had. It has always been the custom with me, and no person interfered in my receiving patients into the hospital. Jamison's evidence.

Q. Did I not officially transmit to you an account of the articles taken on a survey when I took charge of the hospital at Parramatta, on the 15th day of April last?—A. Yes, which I laid before His Excellency the Governor.

Q. Did I not wait on you on Friday, the 3rd instant, to know if you had given any directions respecting the removal of several patients out of the hospital at Parramatta; and what was your reply?—A. I recollect your asking me that question, and my answer was that I was a perfect stranger to it until you had now mentioned it.

Q. Did I not request you to communicate the same to His Excellency; and what answer did I receive?—A. I informed you that I waited on the Governor that day; but, being busy, I could not see him. I afterwards saw him, when he gave me for answer that Mr. Wentworth should hear from him.

Q. How many years have you been in His Majesty's service?—A. Twenty-seven years.

Q. How long have you known me?—Seventeen years.

Q. Have you ever known me, or have you ever heard, that I have neglected the sick or treated them with inhumanity?—A. No; I always have considered you as discharging your duty with great assiduity, and I have heard the patients committed to your care speak very favorably of you.

Q. by Capt. Abbott. Have you not received patients at the general hospital who have been brought thither by a constable, being a prisoner.—A. Yes, but under peculiar circumstances.

Mr. James Mileham, Assistant Surgeon, sworn:—

Q. by Prisoner. Did the Gov'r, during the period of your charge at Parramatta as surgeon of the hospital there, discharge any patients out of the hospital without your consent or approbation, or even communicating with you on the subject? Evidence of an Assistant Surgeon.

Upon this question the Court was cleared, when they were of opinion that this question is highly disrespectful—disrespectful to the Commander-in-Chief—and, consequently, reprehensible and inadmissible.

Q. Did Capt. Abbott ever send you any orders respecting the receiving patients into the hospital previous to his appointment as a magistrate at Parramatta?—A. I do recollect he did.

Court adjourned.

Court met 21st.

The prisoner proceeded on his defence, and calls on Lieutenant Lawson, who, being sworn:—

Q. by Prisoner. During the time you was at Norfolk Island, and I was surgeon at that place, have I not been in the habit of attending yourself and family in my medical capacity; and have not I, on all such occasions, treated you with that attention and respect due to your situation?—A. You have. During the time I was at Norfolk Island I was dangerously ill, and I received the greatest care and attention from you at that time, as well as on all other occasions in your medical character. Evidence of Lieutenant Lawson.

The prisoner having closed his evidence by interrogations, read the paper, No. 2^a, as his defence.

1807

17 Oct.

The Court having maturely and deliberately considered the evidence for and against the prisoner, is of opinion that he is guilty of a breach of the second article of the twenty-fourth section of Articles of War, by virtue of which they do adjudge him to be publicly reprimanded in such manner as His Excellency the Commander-in-Chief may deem proper.

Richard Atkins, Deputy Judge-Advocate.

GEO. JOHNSTON,
Major and President.

Appendices to Report of Trial.

(No. 1.)

Mr. President and Gentlemen,

18th July, 1807.

Captain
Abbott
states his
case.

I have the honor of commanding at Parramatta, of which place I am likewise the magistrate. On the 7th inst., the superintendant of Government concerns at Castle Hill sent two Gov't servants to me with a message that they were both ill and incapable of labor; one of the men had a bad leg, the other a bad arm, which I saw.

I directed the person in charge of them (M—— F——, a constable) to take them to Mr. Wentworth, the Assistant Surgeon of His Majesty's hospital, to receive them. M—— F—— soon after returned with the message saying that Mr. Wentworth would not receive them. I desired him to return with the men, and, if Mr. Wentworth persisted in his refusal, leave them in charge of an overseer.

Lest that M—— F—— had not brought me a correct answer, I was willing to try the effect of another message, and, therefore, sent G—— S—— (the clerk) to Mr. Wentworth, to say if the two Government servants whom I had sent to him before were objects fit for the hospital to receive them. The answer Smyth brought me back was "that they were objects fit for the hospital, but that he would not receive them without a written order from the Governor."

This, gentlemen, is the substance of the evidence I shall adduce against the prisoner, and I trust you will do me the justice to believe me when I say that I have no other object in view by preferring the present charge against him but the good of His Majesty's Service.

EDW'D ABBOTT, Capt.,
New South Wales Corps.

(No. 2.)

Sydney, 21st July, 1807.

Mr. President and Gentlemen of the Court,

Wentworth's
address.

At the opening of the Court on Saturday last I requested permission to read an address I had prepared; but, it having been deemed inadmissible, I was under the necessity of withdrawing it, altho' I considered it of the utmost importance to me in that stage of the prosecution.

The charge.

Gentlemen, a charge has been brought forward by Capt. Edw'd Abbott commanding a detachment of the New South Wales Corps, stationed at Parramatta, accusing me, His Majesty's senior Assistant Surgeon in the colony, of contempt and disobedience of the orders of him, my superior officer, by refusing to receive two Government servants into the General Hospital there, of which hospital I had the charge.

Patients
sent to the
hospital by
Abbott.

Gentlemen, in support of this charge, the prosecutor brings forward two convicts (M—— F—— and G—— S——), the first of whom says that he was ordered by Capt. Abbott to bring to me two Gov't servants (L—— K—— and J—— G——), who were sick, with a message from Capt. Abbott desiring me to take them into the hospital; that, in obedience to such orders, he had brought them to me; and that I had refused to comply with such message, unless ordered by His Ex. the Gov'r or the Principal Surgeon. The other evidence (G—— S——) says he received a message from Capt. Abbott (by an orderly soldier) to inform him that he (Capt.

bbott) wished to see him. That he went accordingly ; that Capt. Abbott required that he would wait on me, and ask me if the two men he had sent by M—— F—— were objects to be received into the hospital ; and, if they were, that Capt. Abbott requested they might be admitted. He says he came to me and asked these questions ; that I acknowledged that they were proper objects to be received into the hospital, but that I would not admit them unless by an order of the Gov'r or Mr. Surgeon Jamison ; for that, as the Governor had taken upon himself to discharge them, he was the most proper person to order them in again ; but, at the same time, I desired him to inform Capt. Abbott that I would render them every necessary medical assistance out of the hospital.

1807

17 Oct.

Gentlemen, in answer to the charge brought against me by the prosecutor, the evidence adduced in support thereof, I beg leave to relate to the Court the whole of the circumstances attending this business.

On Friday, the 3rd of this present month, I was at Sydney, on the morning of which day I received information from Parramatta that His Excell'y the Gov'r had ordered several people who were in the hospital there under my care to be taken from it and sent to public labor at Castle Hill. In consequence of such information, I immediately waited on Mr. Jamison, the Principal Surgeon, to inquire if he had given any directions respecting the removal of these people from the hospital. He replied that he was an entire stranger to the whole of this transaction. Feeling myself much aggrieved by a proceeding so unprecedented, I requested of Mr. Jamison that he would see the Governor, and speak to him on the subject. That he went to Gov't House accordingly, but on his return from thence he informed me that he could not obtain an audience, at the same time saying he would make it a point to see the Gov'r on the business, and would inform me of the result as soon as possible. I returned to Parramatta, and on making enquiry I found that those people who were taken from under my charge by Mr. Oakes, the Chief Constable at Parramatta, had been put into jail the night before, and were that morning sent to public labour at Castle Hill. I went to Mr. Oakes and was informed by him that he had the Governor's written order authorizing him to act as he had. On the 7th instant, two of these people (L—— K—— and J—— G——) were brought to me by M—— F—— (a convict) with a verbal message from Capt. Abbott, saying that he had sent me two men to be taken into the hospital, in reply to which I desired M—— F—— to present my compl'ts to Capt. Abbott, and inform him that those two people had been taken out of the hospital a few days before, without my knowledge or approbation, by a written order from the Gov'r directed [to] Mr. Oakes, and therefore I could not receive them again, unless ordered by the Gov'r or the Principal Surgeon, at the same time desiring him to inform Capt. Abbott that I would render them every medical assistance out of the hospital. On the afternoon of the same day, when on duty at the hospital, G—— S—— (a prisoner), the other evidence for the prosecution, came to me, saying that he was desired by Capt. Abbott to wait on me and ask me if the two men he had sent by M—— F—— were proper objects to be admitted into the hospital. I answered, that if they had not been proper objects they would not have been there before. He then said that Capt. Abbott desired that I would take them in ; in answer to which I again repeated that as the Governor had taken those men out of the hospital without condescending to inform me of his motives, or even speaking to me on the subject, that I could not receive them unless ordered by His Excell'y or the Principal Surgeon.

Wentworth's own account of the matter.

He refuses to receive the men a second time.

Gentlemen, I have clearly proved to you by two witnesses (Thomas Wheeler and Mich'l Wallace) that I particularly desired G—— S—— (who is my opinion endeavoured in giving his evidence before this Court on Saturday last to pervert the message I sent by him to Capt. Abbott) to be correct in the message he gave Capt. Abbott, and to tell him that the

His message to Abbott.

1807

17 Oct.

Abbott's
rank and
authority.

state the men were then did not endanger their lives by my refusing to receive them into the hospital, and at the same time to inform Capt. Abbott, that I would render them every medical assistance out.

Gentlemen, Capt. Abbott asserts that he derives an authority from the situation he holds as Commanding Officer of a detachment of the New South Corps stationed at Parramatta to point out to me that line of duty which I am to pursue as His Majesty's Surgeon at the General Hospital there. He says that from such situation he is authorized to dictate to me who are the proper objects to be received into it. He maintains that he is empowered to divest me of that discretionary power which has hitherto been exercised by every medical gentleman throughout this as well as every other part of His Majesty's dominions, and without which no medical man could carry on the duties of his office for a single day, either with satisfaction to himself or benefit to those under his charge.

Verbal
orders by
convict mes-
sengers.

Capt. Abbott further asserts that a loose verbal message delivered to one of His Majesty's officers thro' the medium of a convict ought to be received as an official order. If Capt. Abbott is right in this assertion, in that case I am sorry to say that I have too highly appreciated the respect due to the commission I have the honour to act under; and I must here entreat permission to submit to the Court how far it was proper for Capt. Abbott to send a message to me, His Majesty's Surgeon in charge of the hospital, and which he deems official, by a convict, at the very time that he condescends to send an orderly soldier to G—— S—— (a prisoner), the clerk of the camp, on the same subject.

Abbott and
Wentworth.

Gentlemen, as I do not know Capt. Abbott in any other situation than as an officer commanding a detachment of the New South Wales Corps stationed at Parramatta, and not having received any orders from His Excellency the Governor, or the Principal Surgeon, desiring me to obey any directions that Capt. Abbott might please to send me relative to the sick, I must beg leave to submit to the Court whether, if I had complied with the loose verbal message sent me by Capt. Abbott, and which was in direct opposition to the written orders of the Gov'r, and that, too, at the very time I was in momentary expectation (as I have proved to you) of receiving an official communication from the Principal Surgeon on the subject (to whom alone I consider myself accountable in the duties and execution of my office), would not I have subjected myself to have been brought to a Court-Martial for acting so in contempt and defiance of the Governor's authority, or would not I have been guilty of the greatest irregularity?

Necessity
for written
orders.

Gentlemen, Capt. Abbott has endeavoured to prove that a verbal message ought to be considered equal to an official order. I have therefore thought necessary to insert a copy of an official letter from His Excellency Gov'r King, addressed to me, as follows:—

“ Sydney, 1st November, 1802.

“ Sir,—You will deliver to the Rev'd Mr. Marsden a daily return of the sick and convalescents in the hospital, and those under medical treatment; also a monthly list of the same, and of the people of every description employed about the hospital. You will furnish him with the latter to-morrow morning.

“ I am, &c.,

“ PHILIP GIDLEY KING.

Governor
King.

“ Addressed to Mr. Darcy Wentworth, Assistant-Surgeon, Parramatta.”

Gentlemen, you will observe by this letter that Gov'r King thought it necessary to give me a written order even to make the daily and monthly returns of the hospital at Parramatta to the Rev. Mr. Marsden, who was at that time the principal magistrate and superintendent of the public works there; and therefore I conceive that if I was to be considered subject to the orders of Capt. Abbott respecting the sick after the departure of Mr. Marsden from thence, that a written or verbal direction to that effect would have been transmitted to me by His Excellency the present Governor, or the Principal Surgeon.

Gentlemen, Capt. Abbott has also endeavoured to prove by his evidence (G—— S——) that I have obeyed his orders relative to attendance as surgeon when corporal punishments were ordered to be inflicted ; but does not this prove in the strongest light that the discretionary power vested in all surgeons cannot be dispensed or interfered with in these cases ; how much less so where it may or may not be necessary to receive such men into the hospital.

1807

17 Oct.

Alleged disobedience of orders.

Abbott
Wentworth's
superior
officer.

Gentlemen, I acknowledge Capt. Abbott to be my superior officer in this colony, and I here beg leave to assure the gentlemen of the Court that in pursuing the line of conduct I have done on this occasion, I was not actuated by any motives of private resentment, or a wish to diminish that authority he possesses, or respect due to his situation ; yet I contend that he has no authority to interfere with the discretionary power I have, or to dictate to me how I am to act in the duties of my office. If Capt. Abbott could have proved that I have abused that discretionary power, it was his duty to have done so.

Gentlemen, exclusive of the above reasons assigned in my defence, and which I deem incontrovertible, I could have proved to you, had you thought proper to have allowed me to examine the evidence I had ready to bring forward, that in pursuing the line of conduct I have done on this occasion, I was also influenced by a sense of duty and motives of real humanity to those patients who were actually in the hospital, to deny admission to one of those men ; and the other I have proved by the evidence of Mr. Cleghorn, who has now the charge of the hospital at Parramatta, it was not necessary to receive. Capt. Abbott has said, and said truly, that those two men had sores, and which was his reason for sending them to me. Gentlemen, I have proved, and I hope to your entire satisfaction, that when I took charge of the hospital there were no dressings or ointments requisite for people with the above complaints, nor have I been furnished with any since, altho' I have made frequent applications for them. I have proved to you that since I have had charge of the hospital I have supplied these very men, as well as several other Gov't servants, with medicines and dressings entirely at my own expence. I could have proved to you, if I had been permitted, that on taking charge of the hospital there was but one small iron pot for the use of all the sick and every necessary purpose therein ; that I have repeatedly made official application to the Principal Surgeon, and pointed out to him the great distress and inconvenience the sick experienced for want of such necessary articles ; and I have it also in my power to prove that I myself made a personal application to His Excell'y the Gov'r on the 18th day of June last, when he was at Parramatta, on this last subject, and that the Gov'r had promised that I should be supplied ; but to the moment of my arrest the hospital was in the same state as when I received it from my predecessor on the 15th day of April last, as to those articles. It has been proved that one of those men (J—— G——) besides the sore had also an abscess forming on his leg which required frequent applications of poultices. Would I, under these circumstances, have been justified in receiving this man into the hospital, and thereby have put the whole of the patients therein to a considerable inconvenience for the benefit of a single individual ?

Wentworth's
humane
motives.Absence of
hospital
stores and
utensils.

Gentlemen, it is not my intention to trespass on your time any longer. My conduct during seventeen years that I have been in this colony, fortunately for me, is known to several of the gentlemen who compose this honorable Court, and I trust they are satisfied that it has not been unworthy of the commission I have the honor to bear ; for I assure you I should consider the loss of it as a feather in comparison to that of having forfeited their good opinion. In conclusion, gentlemen, all that I require at your hands this day, and I am sure I shall not be disappointed, is that you will do me that justice you would yourselves expect if placed in my situation.

Wentworth
appeals to
Court.

D. WENTWORTH,

Assistant Surgeon.

1807

(No. 3.)

17 Oct.

COPY of the opinions of the Principal Surgeon, the Surgeon of the New South Wales Corps, and the only Assistant Surgeon now doing duty in the Colony, on the circumstances which occasioned the foregoing trial.

Opinions of Jamison,

As the men alluded to in the charge brought by Captain Abbott against Mr. Darcy Wentworth, Senior Assistant Surgeon, in this territory, were discharged by the Governor's written order, and that not sent through the medium of Captain Abbott, but directed to the Chief Constable at Parramatta, under these peculiar circumstances I should not have thought myself justifiable in receiving them again into the hospital unless the Governor had rescinded his order. I should conceive, had I admitted them on Captain Abbott's verbal order, sent by S—— (a convict), that I had committed myself, and that I was liable to be brought to a Court-Martial for disobedience of the Governor's positive orders, more particularly as refusing the patients did not endanger their lives, and reference could have been made in the meantime to the Governor to know his pleasure thereon.

THOMAS JAMISON,
Principal Surgeon.

Harris,

Had I been an Assistant Surgeon of the territory, I should not have thought myself justifiable, under the above recited circumstances.

J. HARRIS.

and Mileham.

Had I been in Mr. Wentworth's situation, I should have acted as he has done.

JAMES MILEHAM,
Assistant Surgeon.

Further Enclosures in Wentworth's Memorial of 10th October, 1807.

GENERAL ORDER.

23rd July, 1807.

Wentworth reprimanded.

THE General Court-Martial which has been held for the trial of Mr. Darcy Wentworth, Assistant Surgeon to the colony, having found him guilty of the offences with which he was charged—vizt., disobedience of Captain Abbott, the commander of the troops at Parramatta's orders, (and Chief Magistrate there) on the seventh instant—adjudged him to be publicly reprimanded in such manner as His Excellency the Commander-in-Chief might deem proper. His Excellency does hereby approve of the sentence of the said Court-Martial, and directs Major Johnston, at the head of the troops on the parade, to call the said Mr. Darcy Wentworth forth, and express to him His Excellency's high displeasure and indignation at his conduct, and that he is hereby publicly reprimanded accordingly.

SURGEON JAMISON TO ASSISTANT-SURGEON WENTWORTH.

Sir,

Sydney, July 23rd, 1807.

To return to duty.

I this day communicated to His Excellency the Governor the purport of your official letter of this day's date, wherein you request me to inform you whether you are to return to the duties of your office as Senior Assistant Surgeon in charge of the General Hospital, Parramatta.

In reply, I have to inform you that I have it in command from His Excellency to direct you to return to your former duty at Parramatta.

I am, &c.,

THOMAS JAMISON,
Principal Surgeon.

GENERAL ORDER.

Parole—Example.

Countersign—Precept.

July 25th, 1807.

Suspended.

HIS Excellency the Governor and Commander-in-Chief deems it necessary to suspend Mr. Darcy Wentworth from his situation of Assistant Surgeon to the colony until His Majesty's pleasure is known, and he is suspended accordingly.*

* See the evidence of Atkins, *Trial of Lieutenant-Colonel Johnston*, p. 160.

ASSISTANT-SURGEON WENTWORTH TO SURGEON JAMISON.

1807

Sir,

Sydney, 27th July, 1807.

17 Oct.

As I am not aware of any charge that can be brought against me by the Governor since my last Court-Martial, the sentence of which was approved by him, and put in force by his orders, I am at a loss to account for his motives in ordering me to be suspended until His Majesty's pleasure is known. You will therefore oblige me by informing me whether I am suspended in consequence of the sentence of the late Court-Martial, or for any fresh charges that have been brought forward.

Wentworth asks why he is suspended.

I cannot avoid taking advantage of this opportunity to say that during the seventeen years that I have had the honor to serve His Majesty in this territory, that my conduct, I am convinced, will bear the strictest investigation, and which investigation I shall meet with pleasure whenever it may be ordered.

I have, &c.,

DARCY WENTWORTH,
Assistant Surgeon.

SURGEON JAMISON TO ASSISTANT-SURGEON WENTWORTH.

Sir,

Sydney, 4th August, 1807.

Agreeable to your request contained in your letter of the twenty-seventh and thirtieth of July,* wherein you express a wish to be informed what the charges are that you are suspended on.

The Governor refuses to say.

In reply, I have to inform you that I waited on His Excellency the Governor, and communicated the purport of your letter as above recited, but he declined giving me an official answer, except telling me he disapproved of your conduct.

I am, &c.,

THOMAS JAMISON,
Principal Surgeon.

ASSISTANT-SURGEON WENTWORTH TO SURGEON JAMISON.

Sir,

Sydney, 4th August, 1807.

I have this moment been favoured with your letter of this date, in answer to mine of the twenty-seventh and thirtieth ultimo, wherein I had requested to be informed of the reasons why I was suspended from the duties of my situation, informing me that His Excellency the Governor had declined giving you any official answer thereto, otherwise than he disapproved of my conduct.

Wentworth asks for leave to visit England.

Under these circumstances, and as my services are no longer wanted here, I have to beg His Excellency's permission to leave the colony, and return to England by the earliest opportunity.

I am, &c.,

DARCY WENTWORTH,
Assistant Surgeon.

SURGEON JAMISON TO ASSISTANT SURGEON WENTWORTH.

Sir,

Sydney, 6th August, 1807.

I have this instant received His Excellency's answer to your application to go to England. I enclose you a copy of it.

Jamison's reply.

I am, &c.,

THOMAS JAMISON,
Principal Surgeon.

* As Wentworth had not received any answer on 30th July, he wrote again to Jamison, asking for a reply.

1807 COPY of a letter from His Excellency Governor Bligh's Secretary, enclosed
in the above.

17 Oct.

Bligh
refuses.

Sir,

Government House, Sydney, 5th August, 1807.

In reply to your letter of yesterday's, to His Excellency, with an application from Mr. Darcy Wentworth to go to England, I am directed to inform you that he, being suspended from his office until His Majesty's pleasure be known, it is necessary for him to wait for that result.

EDMUND GRIFFIN,
Secretary.

ASSISTANT-SURGEON WENTWORTH TO GOVERNOR BLIGH.

Sir,

Parramatta, 31st August, 1807.

Bligh's
suspension
of, and
charges
against,
Wentworth.

I take the liberty most respectfully to represent to your Excellency, that having been suspended from the duties of my office by your General Order of the twenty-fifth ultimo, I wrote to the Principal Surgeon, Thomas Jamison, Esq., requiring to be informed of the cause of such suspension, to which in reply he informed me by letter of the fourth instant, that he had communicated the purport of my letter to your Excellency, but that you had declined giving an official answer, except that you disapproved of my conduct. On the same day I wrote a second letter to Mr. Jamison containing a request that your Excellency would be pleased to grant me leave to return to England, and on the sixth instant Mr. Jamison transmitted me a copy of a letter of the fifth instant, from your Excellency's secretary, acquainting me that I must wait until His Majesty's pleasure should be known on my suspension.

From these circumstances I naturally conclude that it is your Excellency's intention to prefer some accusation against me to His Majesty's Secretary of State; and I humbly trust that I shall be excused for thus requesting that your Excellency will be pleased to acquaint me of the nature of the charge that is to be preferred, that I may resort to such means for my justification as may appear to me to be necessary.

This I respectfully hope is so reasonable a request that it will not be denied, as I persuade myself your Excellency must feel that justice and humanity demand my defence ought to accompany your accusation.*

I have, &c.,

DARCY WENTWORTH,
Assistant Surgeon.

SURGEON JAMISON TO VISCOUNT CASTLEREAGH.

Sydney, New South Wales,

18 Oct.

My Lord,

18th October, 1807.

Jamison and
Bligh.

I trust the importance of the subject will prove a sufficient apology for the liberty I take in addressing you. Nothing would induce me, but that my past services as well as my future are likely to be materially involved in the event, as I am informed from the best authority my ruin is determined by our present Governor, and the recent instances I have had leaves no doubt of the truth of the information.

D'Arcy
Wentworth's
suspension.

It would be utterly unnecessary to occupy your Lordship's time with a recital of the circumstances which led to Mr. Darcy Wentworth, Assistant-Surgeon, being brought to a General Court-

* See Bligh's letter of 31st October, 1807, post, p. 363, and its enclosures, which were handed to Wentworth by Johnston shortly after the deposition of Bligh. See also the Court-Martial held 17th February, 1808, post, p. 522, at the order of Johnston, to clear and reinstate Wentworth. Two of the officers (Lawson and Draffin) sat at each inquiry.

al and his suspension. The cause I am ignorant of, except the Governor told me he disapproved of his conduct. The documents that are transmitted will sufficiently elucidate transaction. The recent subject of complaint is grounded on Excellency's interference in the medical department, since he ordered the two men out of the hospital at Parramatta, which has caused so much trouble.*

1807
18 Oct.

Another instance has occurred at the General Hospital. A male patient, severely afflicted with a nephritic complaint, was suddenly taken away by a constable and ordered immediately on board a vessel and sent to the settlement at Van Dieman's Land without any kind of communication with me, or reference to any medical person; nor do I know of any complaint alleged against

Bligh and
the hospital
patients.

Under these circumstances it is utterly impossible for me to discharge my duty with credit to myself or due advantage to patients.

I further beg leave to represent that the colony is greatly distressed for want of assistant surgeons. I have been under the necessity of employing a Mr. Dan'l McCallam to assist me in the discharge of my duty at the General Hospital, there being, since Wentworth's suspension, only one established assistant surgeon in the colony, who is doing duty at Parramatta. I applied to Mr. Thorn and Mr. Barr, who came out surgeons of the transports Sydney Cove and Duke of Portland, but neither of them would remain. They appeared disgusted with the treatment medical gentlemen meet with in this remote settlement, and the pay is inadequate to their maintenance, Government allowing five shillings per day to the junior assistant surgeons. They cannot exist on that pittance. Every necessary of life is so extremely dear, and the trifling indulgence of a convict servant rendered them hitherto is withheld from those doing the duty, and conferred on others who have no claim.

The medical
staff.

To add to the embarrassments of the medical department, the former assistants, who were formerly selected from the prisoners, were now become very useful from the length of time they served in their respective situations (I may also say with great satisfaction to those they served under), have lately been ordered to public labour, and altho' there are no persons to fill their situations, every reasonable solicitation to allow them to return to their former duty is disregarded, and the representations made by the assistant surgeons, officially through me, His Excellency will neither receive nor communicate with me on the subject. Under such circumstances it must be evident that I cannot discharge the duty reposed in me to my satisfaction, or to the satisfaction of the medical gentlemen under me.

Hospital
assistants.

* See the proceedings of the Court-Martial on Wentworth, ante, p 316 et. seq.

1807

18 Oct.

The doctor's
duties.

The purport of these representations to your Lordship are to have the medical duty better defined, and a proper line of duty pointed out, in order to prevent improper interference in that department in future. Had all the official transactions gone through me, none of those evils which I so justly complain of would have occurred.

Method of
procuring
medicines.

I further beg leave to observe, by a late regulation much unnecessary trouble is occasioned, as well as considerable loss, to Government. The remains of medicines and medical stores are now ordered into the public stores under the charge of the Commissary. I am then compelled to make a demand, which is forwarded through the Commissary to the Governor. It requires frequently repeated applications before it is obtained, and the remains are often neglected and left on board to the very last. When they are sent on shore or come to hand they are stripped of every essential medicine. To prevent this evil, the instant prisoners were landed I sent for the remains of medicines and medical stores. This authority is now taken out of my hands, and the service suffers materially thereby.

The hospital
ration.

I beg, lastly, to remark that, although I have made repeated representations of the evil tendency of the ration and mode of issue, no change has taken place. The established ration is salt meat, two-thirds of four pounds, issued weekly. Both the ration and method of issue is ill-suited to the recovery of patients; in fact, it does away the very intention of the institution. The sick ought to be furnished with fresh provisions (of which there are abundance belonging to Government, both sheep and oxen), and it should be served out daily; and until this method is adopted I despair of that success in my practice which I should otherwise reasonably expect.

Jamison will
retire rather
than submit.

By way of application, permit me to remark that should no change take place in the government of this colony, I respectfully trust, as I have written officially for leave of absence, my request will be complied with, as nothing could induce me to serve under the existing circumstances longer than an answer comes to hand, as my ruin is determined on, and the numerous indignities I have received in my official capacity. I have been nearly thirty years in actual service. If a change does not take place, I hope I may be permitted to retire on my full pay, a privilege granted for past services by His Majesty and Council Still, as long as I am capable of serving, and can do so with honor to myself, I shall ever be happy in rendering any service to my King and country.

I have, &c.,

THO'S JAMISON,

Principal Surgeon.

JOHN MACARTHUR TO ROBERT CAMPBELL.

1807

[19th October, 1807.—See letter, *Case of Macarthur v. R. Campbell, jun.*, 24th October, 1807, post, p. 334.]

19 Oct.

LIEUTENANT MINCHIN TO EX-GOVERNOR KING. (King Papers.)

Dear Governor,

20th October, 1807.

20 Oct.

Although I am convinced your time will be much too precious to be taken up with trifling letters from this unhappy place, yet, lest you should think me ungrateful, I will intrude my few lines, in which I wish with all my heart I could say that the many hours and days which you—I am well convinced—had anxiously laboured for the forwarding and prosperity of this colony were not thrown away; but, alas! a deluge worse than that of the Hawkesbury has since swept off every path to that industry and happiness which you had long endeavoured to nurture. You will here, my dear sir, say we always grumbled; and you will say so with justice; but we grumbled then without probably being able to describe the reason, and we feel now so severely oppressed that our disease is but too visible for one mistaking where the pain lays. I can only say, as an individual, I was happy under your government, and I am now unhappy; and, if a military officer might be allowed to use the words “tyranny” and “oppression,” I would tell you that until now I never experienced their weight. On this unpleasant subject I will no longer dwell, as I know you dislike it. Of the various changes which have taken place here since you left us, I know my friend, Harris, gives you a full account, nor can I add anything which would for a moment amuse you to his narrative. I am not yet dismissed the situation of Engineer; but I soon expect such will take place. I shall not be sorry.

King's
regime.Inveterate
grumblers.Harris's
account.

The merlins of the fort are all taking off, and several other alterations, I am told, are to be made—not for the better, I assure you. I understand the foundation-stone on which y'r name is, as the then Governor, is to be taken out and something else substituted. On that day, if I am not dismissed before, I shall resign my Colonial appointment w'h I held under you with pleasure.

The fortifi-
cations.

I hope you are long ere the date of this arrived safe in England, and that your old troublesome companion, the gout, is more moderate in its attacks. I could hope it had left you altogether. To Mrs. King, Elizabeth, the dear little Mary and family, Mrs. Minchin, and myself pray you to make our most grateful and sincere regards; and believe me, my dear Governor, without adulation, that we faithfully wish you and them every happiness and comfort this world can afford, which may you long enjoy is the truest wish of your obliged servant,

Friendly
greetings.

W'M MINCHIN.

1807

MACARTHUR v. CAMPBELL, JUN'R.

Report of Proceedings.

24 Oct.

24th October

Bench of Magistrates : The Judge-Advocate, Major Geo. John Palmer, Esqrs.

Robert Campbell.

MR. CAMPBELL wishes to have the sense of the Bench how far considered incompetent to sit as a magistrate on the grounds of an evidence.

The Bench is of opinion that, as he is called as an evidence, he as a magistrate.

Macarthur's evidence.

John McArthur, Esqr., being sworn, says that the complaint brought to make against Mr. Robert Campbell, junr., is for that he, on instant, did in an illegal manner, and contrary to the laws of the colony, take, or cause to be taken away, by the assistance of several men of the dwelling-house in this town belonging to myself and Mr. two copper boilers, which he values at £40 sterling.

Evidence of R. Campbell, junr., re seizure of stills.

Mr. Robert Campbell, junr., says that on the morning of the 22nd ordered by Mr. Robert Campbell, senior, Naval Officer, to go to the Store and ship on board the D. of Portland two stills, with 1 worms compleat. The bodies of the stills (or coppers) were not taken in Government Stores ; but I was informed they were in the possession of Mr. Blaxcell. I informed Mr. Campbell of this circumstance after I shipped the heads and worms on board the D. of Portland. Mr. Campbell ordered me to wait on Mr. McArthur and ask him where the bodies of the stills were, as Mr. Campbell had the Governor's order to take them away. Mr. McA. particularly asked me if such was the Governor's order. I informed him that such was his order to Mr. Campbell. Mr. Campbell informed me that if I would procure a receipt from Mr. Campbell to let me have them, and said my receipt would be sufficient. I then never took on myself to give any receipts in the N.O.'s [Naval Office]. I then went to Mr. Campbell, and procured the receipt as contained in the enclosure.* On my presenting this receipt to Mr. McA., he begged leave from Mr. Campbell, saying that the words "heads and worms" showed out. I again returned to Mr. C., who told me he would give no other receipt, alleging that it corresponded exactly with the letter he wrote Mr. Campbell and with his public books. On my return to Mr. McA., he informed me that, since he could not get a receipt to his satisfaction, he would take none, but shewed me where the bodies of the stills were, and that he would take them away at my own risk. I immediately went and called on the Governor's boats crew, and requested of them to come and take the bodies of the stills away. In the meantime I saw Mr. Blaxcell at the back door. I asked him if he had any objection for my taking the boat's crew into the premises. He answered that he would have nothing to do with it ; I might do as I chose. From the strict orders I received from Mr. Campbell, I immediately ordered them to be carried off and shipped on board the D. of Portland. Says that he had no written authority.

Coppers taken by force.

Mr. McArthur calls John Harris, Esq., who, being sworn

Evidence of the Naval Officer.

Q. by Mr. McA. : Was you not N.O. at the arrival of the D. of Portland?

Q. Did you not receive an order from the Governor to take the heads and worms of two stills and put them into the stores?—A. I received an order to that effect on the 3rd or 4th bill of lading written by the Governor, and I had orders for Mr. Gaven,† the storekeeper, to receive them into the stores.

* See enclosure, p. 335.

† Probably a copyist's error for Governor.

Q. Does it come within your knowledge that they were so delivered?—
I allways understood that they were till two months after, when, on
Governor asking me if they were put into the stores, I sent for Mr.
ven, the storekeeper, who told me that he had received the heads and
arms, but the bodies he had not got. I think he informed me that Mr.
axcell had informed him that the bodies were full of medicines.

1807
24 Oct.

Q. by Bench. At the time the Governor wrote, or gave you an order for
e stills to be put into the stores, did you understand that it meant the
ill compleat?—A. I did.

Q. Were these stills imported regularly by a bill of lading, or were they
andestinely imported?—A. They were in the bill of lading—one still for
r. McA., and the other for Capt'n Abbott.

Q. You are a medical gentleman, and accustomed to chemical operations.
the body of the still, when the head and worm are removed, fitter for the
peration of distilling than any pot or boiler in the colony?—A. No.

Robert Campbell, Esqr., senior, as N.O., sworn :—

Submits to the Bench the propriety of his being called on as an evidence
y Mr. McA., the Governor having given him an order to ship the stills on
oard the Duke of Portland.

Campbell's
evidence
refused.

The Bench, conceiving that Mr. Rob't Campbell, senior, being responsible
or the acts of his clerk, is an interested person, consequently is inadmis-
ible as an evidence.

Thomas Jamison, Esqr., sworn :—

Q. by Mr. McA. Were you not present in the house belonging to myself
and Mr. Blaxcell, on the 22nd instant, when Mr. R. C., jun'r, accompanied
y several men, came there and took from thence two copper boilers?—
I. I was at the house occupied by yourself and Mr. Blaxcell, at the time
dr. R. C., jun'r, accompanied by several men, came and took away two
odies of stills.

Evidence of
the
Principal
Surgeon.

Q. Previous to his taking them, did you not see him offer me a receipt, to
which I objected, stating that it was incorrect, for that I had not two stills
with heads and worms complete in my possession; and, therefore, as I had
only the bodies to deliver up, the receipt I required was for them alone?—
I. I saw the receipt offered, and such a conversation did pass, or words to
that effect.

Q. Did not Mr. Campbell go out expressing his intention to obtain the
receipt I required?—A. He did; he said he would go to his uncle and get
it altered.

Q. On his return did he not inform me that his uncle would give no other
than the one he had at first presented?—A. Yes.

Q. Did I not again refuse to take it?—A. Yes.

Q. Did not Mr. R. C. ask if he might take the bodies of the stills?—
I. I think he did.

Q. Did I not reply, "I will show you where the bodies of the stills are.
You must judge for yourself of the sufficiency of your authority, for what
ever you do is at your own risk"?—A. You said you would show him where
the bodies of the stills were, and it must rest with himself how he was to
act.

Removal of
the stills.

Q. Had the bodies of the stills which you saw taken away ever been used?
—A. From their appearance, in my opinion they never were.

Q. What do you suppose those two boilers or bodies of stills to be worth
in this colony, supposing them to be appropriated to brewing or any other
domestic purpose?—A. I cannot say I am competent to judge of their value.

1807

24 Oct.

Macarthur
willing to
send parts of
stills away.

Mr. McA. offers as evidence the copy of a letter written by him to Robert Campbell, Esq'r., of which the following is a copy :—

“ Sir,

“ Sydney, 19th October, 1807.

“ Mr. Blaxcell has communicated to me the contents of a letter from you of the 12th instant, relative to two stills imported into this colony in my ship the Dart, which you state the Governor has directed are to be shipped on board the Duke of Portland. In answer, I must beg to acquaint His Excellency that I have nothing to do with the still belonging to Capt. Abbott, and that it is my intention to dispose of my own to some ship going to India or China. If that should be objected to, the head and worm can be disposed of as the Governor thinks proper, and I shall appropriate the copper to some domestic use.

“ I am, &c.,

“ Robert Campbell, Esq'r., Naval Officer.”

“ JOHN MCARTHUR.

To which letter I received no answer. As a proof that the heads and worms of the stills were delivered into the Government Stores, I beg leave to produce the receipt, of which the following is a copy :—

“ Sydney, 16th April, 1807.

“ Received into His Majesty's stores, at Sydney, from G. Blaxcell, Esq'r., two heads and two worms belonging to two stills.

“ JNO. GOWEN, S.K.”

Mr. Robert Campbell, jun'r, calls Edmund Griffin, Esq'r., His Excellency's Secretary, who being sworn :—

The
Secretary's
account of
the
proceedings.

Q. by Mr. Campbell. Relate to the Court what you know respecting two stills imported in the ship Dart?—*A.* On the 8th March last, on which day the Dart arrived, the master of her was brought on shore by the N.O. to the Gov'r, when he produced his invoice and other necessary papers. On the Governor's examining the invoice he directed that the spirits, as usual, were to be taken from the ship to the bonded store, and the two stills, as appeared in the invoice compleat were also to be put there, and the Gov'r particularly wrote against the stills to that effect, and gave directions to the N.O. that they should be in readiness to send to England by the first opportunity. About the latter of March, or some time in April, on some occasion, Mr. Harris, the then N.O., stated to the Gov'r that the stills were in the store except the two bodies (now in question) which he said Mr. McA. said he meant to apply to domestic purposes, at which the Gov'r expressed great surprise, and told him that he had not complied with his orders, and that he was instantly to see them complied with. Some few days ago the Gov'r told Mr. C., the now N.O., to ship the stills on board the D. of Portland, as she was on her return to England, on which expressed my doubts whether the Governor's orders had been complied with, with respect to what I have stated as to the orders given to Mr. Harris, in consequence of his neglect in March or April; but the Gov'r appeared to have no doubt but that they were in the stores complete. Mr. Campbell since told me that I was right in my conjecture, and that the copper were at Mr. Blaxcell's, and that he should get them and ship the stills.

Hearsay
evidence.

Mr. McA. here objects to that part of Mr. Griffin's evidence beginning with the words, “ Mr. Campbell since told me,” &c., because I conceive that the law requires the best evidence the case will admit should always be produced, and Mr. C., senior, being present, surely can require no substitute to communicate what he knows in this case. Another reason for my objecting is the dangerous and dreadful consequences to be apprehended (as I conceive) from suffering illegal precedent to be established.

The Naval
Officer.

Q. by Mr. McA. Mr. Griffin has stated to the Court that Mr. C., who evidence I have not received the benefit of, is N.O. I wish to know whether the duties of that gentleman's office does not require that he should enforce the Governor's regulations and restrictions on all merchant ships

coming into this port, and whether it is not thro' him that all duties or fees on exports and imports are levied?—A. I conceive that the q'n can only be answered in correctness by the General Orders and Regulations on the subject of Mr. McA.'s question; therefore, anything that I may give as an opinion might prove erroneous.

1807

24 Oct.

Geo. Dowling sworn :—

Q. by Mr. Campbell, jun'r. You was Naval Officer's clerk when the Dart arrived?—A. I was.

Q. Relate to the Bench what you know concerning two stills that were imported by that ship.—A. After the ship was entered, Mr. H.,* who was then N.O., went to Gov't House with the manifest of ye cargo. After his return I met him by the bridge when he showed me the manifest, and pointed out a minute which the Gov'r had made in his own writing for the two stills to be put into H.M. stores till opportunity offered of sending them back to England. Some time afterwards Mr. H. sent me to Mr. Blaxcell's to desire that the coppers might be put into the stores. I was some time after sent by the Gov'r to Mr. Blaxcell's to order them to the stores, and I desired the storekeeper to receive them. Evidence of a clerk.

Q. Did you not go to Mr. Blaxcell's in consequence of Mr. Harris stating to the Gov'r that the coppers were not there?—A. The Gov'r desired me to go.

Macarthur's Address.

Mr. McArthur states that he has produced evidence to prove to the Court that two coppers or bodies of stills were taken out of my house on the 22nd inst. without my consent. Mr. Griffin, the Governor's Secretary, has declared in evidence, that the Gov'r told Mr. Rob't Campbell, N.O., to take these bodies of stills and ship them on board the Duke of Portland; by the acknowledgment of the respectable young gentleman, Mr. R't Campbell, jun'r, he was told by his uncle to execute that command. It would therefore appear that a British subject, living in a British settlement, in which the British laws are established by the Royal Patent, has had his property wrested from him by a non-accredited individual, without any authority being produced or any other reason being assigned than that it was the Governor's order. It is therefore for you, gentlemen, to determine whether this be the tenor on which Englishmen hold their property in N. S. Wales. Macarthur's address to the Bench.

The Bench is of opinion that Mr. Robert Campbell, junior was not authorised to take the coppers out of Mr. Blaxcell's house, he not being either a magistrate or a Naval Officer, nor did he receive any orders from the Governor to that effect.†

GEO. JOHNSTON.

R'D ATKINS.

Mr. Palmer is of opinion, as Mr. Robert Campbell, jun'r, acted under the orders of Mr. Rob't Campbell, N.O., sen'r, he is justified in what he did.

JNO. PALMER.

A true copy.—R'D ATKINS, J.-A.

[Enclosure.]

RECEIPT FOR STILLs.

Naval Office, Sydney, 22nd October, 1807.

RECEIVED from Mr. G. Blaxcell, agent for the ship Dart, two stills, with heads and worms, which were entered by that ship on the 9th March last, addressed for Capt. McArthur and Capt. Abbott, and allowed to be landed on the express condition of being sent to England by the first ship, and which stills are now to be shipped on board the Duke of Portland, by order of His Excellency the Governor.

ROB'T CAMPBELL, Naval Officer.

* John Harris.

† For giving this decision Atkins alleged that he incurred the high displeasure of Bligh, and was subject to offensive comments from both Palmer and Campbell.

general account of your stock, and am nappy to be enabled that everything is in the most flourishing state possible.

his factors ; Indeed, I am emboldened to say that even was you on yourself, that greater attention could not be paid by you been by Mr. Hassall and Hayes, and I have every reason perfectly satisfied with their conduct and attention and interest. It will be useless for me to make any remarks returns—your own superior judgement will easily discern but I know they are correct. Your horned cattle look to any herd in this colony by far ; and from the attention drafting the young heifers from the general herd and put with the bullocks till a certain age on Elizabeth Farm (which is a good yard and stock-keeper's hut), they will much improve breed. I have been frequently applied to by butchers to some of the bullocks, but not having any authority to do so (unless money was wanted for the farm, which was not the case) I could not think of allowing any to be disposed of. I, therefore, think it will be prudent to send me an order to sell all that be fit for the knife by the next ship, as also an order to sell the old bulls, having much finer young ones growing up. I have ordered the St. Helena breed not to be cut, as they always sell well, being, in my opinion, and many others, a good breed. That fine cow of that kind, which you have frequently heard me admire, had nearly died in calving last week, but is getting well. Several extraordinary cases of the kind I have occur'd in your flock, for which I cannot account in any other way than their being to fat. The bull [for] which Governor Dalrymple to have given a cow he would not take, I suppose being a good one get one at a more easy rate. Capt. Abbot wanted to buy the bull I would not sell him. Indeed, I do not wonder much that Governor Dalrymple would not have the bull, for any thing that the name of King is sufficient to draw the notice that usually

The St.
Helena
breed.

attention to your intrest, and, in short, is every one that uses your name on any occasion—for which cause is best known to this great man. But this I know : I don't care a dam for him, his name, or intrest. He is at best a tyrannical villain.

1807

25 Oct.

The supply
of spirits.

I applied for a proportion of spirits for the use of your farm, but, as you may suppose, was denied. I believe he gave Hayes one gallon. The officers have only (generally, for there are some exceptions) thirty gallons each. He is determined that I shall be sober, for I have not had a glass of grog in my house for some months. Indeed, I begin to think it is a very good thing for me, for it not only prevents my house from being constantly full, but saves me much money ; and I begin to think that I shall be rich yet, which you know I much want. He has order'd all the spirits that belonged to the gaol and Orphan Fund to be sold for what they were taken into the store at, as he scorn'd that Government should be benefited 150 p. cent. in payment for lime or other things. I applied for four gallons of the brandy by permit, not being able to drink the *aq. dent.*, which was tore with this very polite message : "That fifteen gallons serv'd the Gov'r's house twelve months, and he thought thirty ought to serve mine."* I do not think that he told a lye when he said fifteen gall's serv'd his house twelve months, for I suppose three would at the rate that I have seen it brought to table and drank at his house. My house has a set of thirsty souls that come to it. Besides, the masters are of a different temper.

I can assure you I am told that I am greatly alter'd in appearance since I left Governor Bligh's table (which ought to be), if it is not very luxurious, for three times the quantity of Government stock are now destroyed that ever were by any of his predecessors, but they did not keep above the third of the servants that he does, and servants must eat as well as their masters. He never purchases anything at his own private expence, nor can I blame him ; for if Government keeps faithful servants they ought to maintain them well, but more particularly when Fellows of the Royal Society. It seems it was a lucky thing for Government that such a man was sent out, as he says that your measures would have been a total ruination to the colony ; that the savings which he has occasioned to Government by his prudent measures are so very immense and satisfactory to the public that you can perceive pleasure and happiness in every countenance, besides that infamous traffic and larter he has entirely suppress'd ; and that everybody knows, and he will make them know, the use of pounds, shillings, and pence. It appears also that you had no authority to grant leases, or, in short, to do anything that you did. That he is the only clever man or man of science that ever had any authority here. I wish to God it was in my power to discover any of these rare virtues in

Bligh's
table.His boasted
reforms.

* Murray, in his *Pitcairn*, p. 55, states that Bligh was a man of temperate habits and a fine constitution.

1807

25 Oct.

King's
horses ;

his swine,

and crops.

The "Crop-
pies."The in-
formers.Bligh's
numerous
executions.

this great man, but I must confess that I have been blind to merit, especially if it is center'd in him. I know, Governor, you will not thank me for treating my servant with this severity. I shall therefore quit the subject and think of something else. What, then, shall I say? Your horses are well, as you will see by the return. I do not think I have any till you come out again, as you then will be enabled to get a coach and four with the best of them, and should, *steady old groom*, I think I will then suit you.

Your pigs—I wish Sir Joseph Mawbey saw them—as they are so prolific, which I hope next year will preclude you from having to pay for the ration of your servants ; and I can assure you that I never saw a more promising crop in the colony than is in your paddock, and if wet weather does not overtake it, I think one acre will produce more than any ever seen in the colony. Besides, a quantity of ground is ready for Indian corn, and the cross-ditching of it is going on, so that I hope next year you will be at less expence. For the cultivation and necessary jobs done, and attending thereon, I must beg to refer you to Mr. Haslam, who I believe has detailed everything that you wish to be done. I shall now drop your concerns for the present, and leave you a little more Colonial occurrences.

Know, then, that shortly after your departure that they did not seem'd to think that he had sufficient information to send the Croppies to annihilate the whole of the supposed leaders. They subsequently had O'Dwyer, Burn, Burke, and Merney tried, but nothing appearing against them they were set at liberty, but not without their total ruin, as they were sent far from their farms to different outposts.*

Two of the men who swore against them being for them a servant of that scoundrel Ramsay, and a notorious informer. His Excellency thought proper to give them free pardons, and will be all of the kind he will ever do, as he does not see much of the milk of human kindness about him.

He has executed more men by three in his short time than I did the whole of the time you was with us ; nor has he any reprieve except to a man who was condemn'd the day that Gore was acquitted. And I must refer you to Mrs. Kippax for some elucidation on Gore's business. I had almost to tell you that I am, and have been for a long time past, in Harris, in no situation or public employment save that of the N.S.W. Corps, and I can with much truth assure

* Two of these men were convicted and sentenced to receive 1,000 lashes and sent to distant out-settlements. The others, although acquitted, were kept under strict surveillance. See footnote to Bligh's letter of 31st October, 1807. See Minchin's evidence, *Trial of Lieutenant-Colonel Johnston*, p. 238. member of the Court which tried them.

never was more happy. The arbitrary measures used by your predecessor was and is such as to ill accord with my principles, as a specimen of which I must refer you to a paper herewith sent,* for which Messrs. Lord, Kable, and Underwood were confined one month in goal for. Had you been so severe the half of the long-coated gentlemen in the colony would have been in constant durance.

1807

25 Oct.

Alleged severity.

The pipe-maker is frequently at work—has a large scope for his abilities, but has not as yet been very conspicuous—one or two of which I send you. The severest that has been written was very short, which was put up after some very arbitrary act of the Governor's, which was—“*Oh tempora ! Oh mores !* Is there no CHRISTIAN in New South Wales to put a stop to the tyranny of the Governor?”†

The “pipe-maker.”

The pipe respecting canine madness was occasioned on the Sunday after Johnston and him had the row. He went to the church in his full uniform with Mrs. Putland, and he conjectured that the soldiers laugh'd at him, which occasioned Mrs. P. to sham fainting. He abused the soldiers in the church, and had a whole bench of them confined for some days, but thought proper to liberate them without trial.‡

The episode at the church.

Another instance of his temper is as follows :—Some of the prisoners carrying stones out of his garden not pleasing him, he came out, dam'd them to leave off, that he would flog them, to go down to the store for their red jacketts (emigrant clothing), the only colour such scoundrels should wear. This before the whole of his own guard. This, with picking the officers for particular duties,§ has render'd Johnston and him not cordial friends. I believe the Major has transmitted a complaint to the Duke of York about [it], and I am much afraid we shall never be quiet.|| The Governor's friends and directors at Sydney are Campbell, Palmer, Lutterell, Gore, Devine, and Crossley (the last not least), consequently your enemies. Campbell is everything with the Governor. He got him to give permission for the vessel he built (the *Perseverance*)¶ to go to China, and the Governor has cancell'd the permission he gave for the *S't Anna*** to proceed there, which has involved me in a very troublesomelawsuit with Simeon Lord for £20,000 damages as prize agent. The Governor has done everything that he can to hurt me ; but the Civil Court has this day gave a verdict in my favour, and it is now before the Governor on appeal. I do not think he can do other wise than the Civil Court has done, as it has been entirely his own act.

Johnston and Bligh.

Bligh's friends.

* The enclosure has been lost. Doubtless, however, it was a copy of the letter of 10th August, 1807, ante, p. 278.

† Evidently an allusion to the mutiny of a part of the crew of the *Bounty* under the leadership of Fletcher Christian.

‡ See Lieutenant Minchin's account of this episode, post, p. 588.

§ This happened in September. Surgeon Jamison, who was present at an interview between Bligh and Johnston, and apparently sided with the latter, was immediately relieved of his magisterial duties—ante, p. 305, post pp. 519 and 520.

¶ See Johnston's letter of 8th October, 1807, printed as an enclosure on p. 652, post.

¶ The *Perseverance* was a vessel of 136 tons. She sailed for China in ballast on 9th February, 1807, returning with a cargo of general merchandise on the 5th May, 1808.

** The *Santa Anna* was a Spanish prize to the British ship *Port au Prince*. She arrived at Sydney on 24th October, 1806, and sailed for England on 14th July, 1807.

Bligh's new
appoint-
ments.

by what I know, without Palmer's office is burnt down. expenditure is accounted for, I would recommend the re be specified at the same time, when the deficiency will But it's nothing to me; I don't drive a coach and pair. the gaoler, is dismiss'd his situation by Gore, and Brya the settler and gentleman with the leather cap that marsl Croppies the night they rose at Castle Hill, appointed in l The Dep'y Provost-Marshal (as he is called—otherwise b that honest fellow Dick Ridge, his former bailiff (John who was formerly in the store—another honest man—hav lately. It is said that the two situations sold for £354 places are said to be bought now for more or less. D a greater man than you ever knew him. He has a "Sherricklan's Dictionary." Another great man in Gov employ is Gentleman Henery†; and every thief an character are constables.

Gore's trial. I send you a copy of Gore's trial with M'Kay for you ment. In it you will see the names of the members w posed the Court, and judge of their proceedings. Capt. Kemp came up on leave, and is retained here for his services. perceiv his name as one of the members. The Gov'r ha

* John Palmer, Commissary.

† The person to whom Harris refers was, no doubt, William Henry, a private in who first came to the colony in 1800, and finally in H.M.S. Investigator, w He was employed under Bligh as a superintendent. Before a Committee of the Assembly in 1800 (*Notes and Proceedings*, vol. iv, p. 1219) he gave evidence of his claim for a land grant, from which it is evident he was on very confid with Bligh, both before and after Major Johnston assumed the government secretly, the means by which Bligh communicated from the Porpoise with his adherents on shore. Henry's account, in his own words, clearly shows how jeal movements, and those of his suspected sympathisers, were watched:—"I use in Cockle Bay" (now Darling Harbour) "pretending to be fishing, and the com to come down and watch me over the rocks, to see if I was pulling in fish or they were satisfied, and went away, I used to deliver my despatches. I used despatches hidden in my boots in case of being overhauled." After Bligh ha the Government a momentary command amongst the settlers in the west. Heals

him to do duty here. He is anybody's body. They were glad to get rid of him at the southward. The public duties are augmented 50 p. cent. Inclos'd are one of the Orders.*

1807

25 Oct.

I also send you the new Port Regulations.† They took some months new moddleing by that noted hand Newsham whilst the Governor's private secr'y ; but he has at last put his foot in it, as the saying is.

Port Orders.

No public buildings of any kind has been erected. His whole attention has been taken up with the garden and shrubbery—in short, in doing things that can never benefit twopence to the public good. He is getting on with the church, which I think is more for the sake of showing himself than for the love of worship, as he is quite a man of parade.

Public works.

Since the account of the troops being on their way he has begun to fit up the new barracks, but in so miserable a way as to be scarce inhabitable, and I have at last got the regimental hosp'l bungled up. It gives me much pleasure to hear almost every person speaking in your praise. Even those who were most vehement against you are now your strongest advocates. You can never know the duplicity of mankind till you are left behind, as [I] have been, and hear slander and encomium from the very same person, as circumstances prompts. Indeed, my dear friend (flattery apart), the difference between you and Bligh is so great that any fool must readily see the great balance in your favor ; in short, he is, in my opinion, a man of the meanest capacity, and which I have frequently told you ere you left this. He has not two ideas of his own, and if merit constitutes Fellows of the Royal Society, I know not how the devil he has imposed on them. But he is not the first of the kind I have seen or met with. No building of any kind, not even a pig-stye, is to be erected without his order—not even on your own premises, tho' leas'd. Some have paid attention to this regulation, but I have not. Mr. Alcock is a great man with him. If you have promised him anything, I do not think it worth your while to execute it. Mr. Howe is a great turncoat also. The Gov. has order'd the top of the new battery down. It is now doing. It is a great pity. It is said to be a fine piece of work destroyed. I yesterday received a message by the Judge-Advocate (whose life is worse than a dog's, for you know he frequently gets in such a state as not to be out of the power of reprehension) that a man who lives in one of my houses must quit it immediately by order of the Governor, and that no person should in future reside in it without his order. On enquiry I found that the cause of this order was that this man had some seed potatoes for sale which he would not let Gore have without

Barracks.

King's friends and erstwhile enemies.

The Judge-Advocate.

* The original of the letter is still in the possession of Governor King's descendants ; but the enclosures have been lost.

† Probably the Orders of 4th October, 1806, ante, p. 193 *et seq.*

1807 the cash, as Gore had asked him for some, and he would permit
25 Oct. him to sell Squires's beer. It is strange that the Governor will
thus meddle with private property, which ever was and ought to
be sacred.

General
stagnation.

Was I to detail you every strange event that has happen'd since
you left us, a quire of this paper would not be enough. Suffice it
to say that everything is nearly as you left it, only upside down.
The crops this year appear nothing extraordinary. Port Dalrymple
and the Derwent have been ill of for want of grain, and I rather
think they are so at this time, as their crops failed. I shall be
happy to hear of your safe arrival with your family in the land of
freedom, and I hope your old companion, the gout, has bid you
farewell. You may expect to see me in Europe in fifteen or sixteen
months from this date, if living.

Harris asks
for leave of
absence.

Should you see Mr. Thomson,* pray remind him to get me
permission to return, if it is not already done. I think I shall
take my passage in the Albion when she goes from hence. The
fisheries on this coast have not succeeded well this last season.
The only lucky fellow is Turnbull.† He is gone Home full. I have
much more to say, but I think I have tired your patience with my
foolish stuff; but you know I am a miserable fool at the pen, and
will readily excuse me. But be assured that I remain,

Yours, &c.,

J. HARRIS.

SURGEON HARRIS TO MRS. KING. (King Papers.)

Sydney, New South Wales, 25th October, 1807.

My ever honored and most respected Madam,

Harris's
account of
the colony
under Bligh.

I know you will expect a very long letter, with a very
circumstantial account of New South Wales since your departure
till this period, from me. Would that I was capable of fulfill'g y'r
wish in any wise satisfactory to myself or you. I would readily
undertake that or any other task to please or gratify you. But,
alas! New South Wales and its directors are so totally altered
that had I ten times the abilities of description that I possess I
would be at a loss; for you know I am a miserable hand either
to write or describe, and cannot do half justice to the misery and
oppression that now reigns in this once happy, delightful spot.
Your curiosity will naturally be excited by this preamble, and
well it may; but to relieve your anxiety in some measure I will
begin with our worthy Governor, which, could I portray his
character as he merits, 50 sheets of this paper would not contain
his rare qualities—I will not say good ones, for that would be far
from the truth.

* Presumably Surgeon James Thomson.

† Captain Robert Turnbull, master of the Indispensible. She sailed for England, c. 6th October, 1807.

Shortly after your departure he began in the small way with finding fault with everything Gov'r King had done ; and, as is natural to all cowardly fellows, making use of most vile, abusive language and degrading epithets before the prisoners and other vagrants, or those who he knew or thought would be pleased therewith.* He happened once or twice to forget that I was present, and I also assure you that I did not forget him nor pass it easily over. At length his measures became so very glaring and irksome to me that I resigned the office of Naval Officer, and he, to be revenged, dismissed me from being magistrate and police officer—situations which I had under him with no pleasure whatever, or even that security to the public interest which they had long felt and experienced under the former Government. He has turned every person who held the least appointment under Gov'r King from any situation whatever that they held, and is surrounded by a few who find it their interest to do whatever he may dictate. And God himself only knows the horrid measures that are adopted ; it is completely the reign of Robertspere (*sic*), or that of Terror.

1807

25 Oct.

Bligh's language.

Harris resigns.

A reign of terror.

The principal agents are—who do[you] think? Robert Campbell, Naval Officer, collector, treasurer, and factotum. It is really distressing to see the arbitrary measures he uses with all vessels but his own ; consequently, his do as they please. His next in command is little Jack Palmer, magistrate—total director of the public stores, mills, grain, and all other thing or charge ; and I assure you that Campbell and him do as they please. You can now get what you want from the dry store by taking Palmer's bills, and I assure you I think there is not many now afloat. Had P. G. K. remained here there would most undoubtedly [have] been a crash in that firm. Those things could not be easily got then. But now the coach and four of both houses flourish in stile.

The principal agents.

How Mr. P. will make up his public accounts I know not whilst he is about nine hours out of the twelve at Government House. But this I know, that poor P. G. K. had trouble enough with him on this score when he had nothing else to mind. I can also tell you that the Gov'r is not backward in helping himself neither. A horse and cart goes twice a week loaded from the wet store to the large house, besides occasionally from the dry one. I know, my dear madam, you will not be pleased at my remarks ; but you must recollect that this is the first time that I have ever written about anyone in this colony, and if it was not to fulfil a promise that I made you, I know not if I should now do it. Poor King is but a miniature picture when compared with this great man. When he moves it's like that of a great planet—

Palmer's accounts.

Bligh's retinuo.

* At the trial of Lieutenant-Colonel Johnston, Governor Bligh, under cross-examination, claimed that from his line of life, and in the government of such a colony as New South Wales, the use of strong expletives might be excused.

1807
25 Oct.

Bligh's
relatives.

"Bounty"
Bligh.

Provost-
Marshal
Gore.

Bribes.

Illegal
arrests.

nothing less than his coach and four in waiting, six or eight light horsemen with a serj't, two or three footman or outriders, and he himself riding in a small sulky with a canvas awning over him with "brails," and the sides of this vehicle stuck round with pistols and a blunderbuss, so much is this great man afraid of his beauteous person. Mrs. Putland sometimes travels in company with him; but when she goes out alone she has only two light horsemen and her coach and four. That poor, miserable, unhappy fellow, Putland, is in the last stages of consumption; and if the rest of the family were in a like state it would, perhaps, be a good thing for John Bull. And at least may they be so who was the cause of sending such a reptile here. I have heard much said of Bounty Bligh before I saw him, but no person could conceive that he could be such a fellow. I can assure you he compleatly wore the mask in your time, but soon laid it aside when you went away. He has been every day getting worse and worse, and continues so still since, and if some steps are not soon—nay, very soon—taken, this place is ruined. Caligula himself never reigned with more despotic sway than he does. He destroys and makes away with all private property, saying everything is his—that that fool, King, had no power or authority to give leases*—takes any part of them he chooses, and gives to any creature of his own who will tell him any lyes; in short, whatever Gov'r King has done he undoes if he can. The greatest swindler, the most absolute thief and cheat (and who is the Gov'r's friend) is Gore, the Provost-Marshal. He is the police officer in my room, and I assure you he has everybody in some way or other under contribution to him thro' Sydney. Tho' no magistrate, he breaks,† without any consultation or order, any constable he chooses, and places the most noted thieves in their room. In short, any one who can contribute in any way to his table by sending roasting pigs, geese, or fowls (and I am told he is not above taking money) is sure of a place and great protection.‡ Men who had been in situations for 15 years are turned out without knowing for what, and put to hard labour tho' freemen; in short, everybody is in a state of dread. They will be crammed into gaol, kept in a cell for 3 or 4 weeks without any reason, nor can they learn what they have done till sent

* Harris is here alluding to Bligh's contention that the Governors who succeeded Phillip had no power to lease or alienate any part of the area reserved by him for the Crown. See Bligh's letter of 31st October, 1807, and map, post, pp. 366.

† This use of the word "break" in the sense of dismissing an officer is frequently met with in the literature of the eighteenth century, and even down to the middle of the present one. Thackeray, in *Henry Esmond*, tells us of two colonels who "had been broken" by drinking perdition to the Tories.

‡ Had Harris expressed himself in more moderate language his accusations against Gore and others would have met with more credence than (at this distance of time) the impartial reader is likely to extend to them. Gore certainly was very unpopular with the officers and principal merchants. This may partly be explained by the fact that as Provost-Marshal and police officer he was called upon to give effect to many of the unpopular Orders and Regulations of Governor Bligh. He was certainly very harshly treated after Bligh's arrival and the dismissal of all his confidential officials and advisers.

way.* The Governor is invisible to every unfortunate creature of his description, nor will he receive or pay attention to any petitions whatever. Such, then, is the land we exist in (not live). How long can remain in such a state I know not, but I think not long.

1807

25 Oct.

Lt.-Governor Devine† is by far the greatest man that I know. Was you to see him you could not refrain from laughing. I assure you the proudest monarch on earth cannot equal him riding thro' the town on his charger, receiving homage with that astonishing cap which you have often seen him wear, and Bligh finds out that he has been cruelly used by King and me; that he is the only intelligent, honest man in the colony or any way attentive to Government concerns. He has given him this week two cows at the calfery as a small remuneration for his services and ill-treatment from King and me. His partner, the honest Crossley‡, has got two bullocks and a cow for pleading and assisting Gore at his trial with McKay for stealing some green-talk [talc] curiosities, and on another indictment for fraudulently obtaining payment twice for the same bill from J. Underwood; but from a picked jury of officers of the Corps, by the Gov'r himself, the indictment was quashed, and every severity that could be suggested or thought or used against any one that came forward to prosecute this honest man. Mr. Wentworth has been tried and reprimanded by a General Court-Martial on the public parade for not taking a man into the General Hospital by order of Capt. Abbott, who is factotum at Parramatta, and, strange to tell, the day after the reprimand the Governor thought fit to suspend him from any further duty until His Majesty's pleasure is known thereon, and refuses to give any reason why or wherefore he has done so. McKay, the gaoler, is broke, and has been in gaol

Nicholas Devine.

Gifts from Bligh.

George Crossley.

D'Arcy Wentworth.

The gaoler in prison.

* Strangely enough this is the identical treatment which the officers who displaced Bligh dealt out to Gore within three months after Harris wrote this letter.

† Nicholas Devine (or Divine), superintendent of convicts and public works. Devine was the original grantee through whom the plaintiffs claimed in the celebrated Newtown ejectment case, *Doe dem. Devine v. Wilson and others*, a report of which, by J. Sheridan Moore, was published at Sydney in 1857. In that report it is stated that Devine came out with Governor Phillip in the capacity of superintendent; and this statement is corroborated by the inscription on the tombstone of his wife, which purports to have been erected by Devine himself. There is no record of any superintendent accompanying Phillip; in fact he complained that in consequence of none being sent he was forced to rely upon overseers drawn from the convict ranks (vol. i, part 2, p. 123), and it was in consequence of his representation that a number of superintendents were sent out in H.M.S. *Guardian* in 1789. Amongst these was one Philip Devine (ib., p. 261), who understood farming, and had lately been employed as superintendent of convicts at Woolwich. Devine, after the wreck of the *Guardian*, came on from the Cape in the *Lady Juliana*, and arrived at Sydney on 3rd June, 1790. There can be little doubt that this "Philip Divine," whose name appears in the early lists of superintendents, was identical with the Nicholas Devine of later years. It is only in the early lists of superintendents that the Christian name of Philip occurs, and not always in them—e.g., in 1796 (vol. ii, p. 331), we find "Nicholas Divine," and three years later (vol. ii, p. 479) it is "Philip Divine." Devine himself used the *i* and not *e* in the first syllable. For many years Devine cultivated the ground on either side of the small stream which runs into Farm Cove through the Botanic Garden. He was, however, merely a tenant at will. Devine lived to a great age, and died on 20th May, 1830. Cf. also Devine's evidence, *Trial of Lieutenant-Colonel Johnston*, p. 133. Rusden (vol. i. p. 449), is in error in respect to Devine. He was not an emancipated convict.

‡ George Crossley, the convict attorney, and Devine were brothers-in-law; they married two sisters.

Bligh and
Johnston.

Bligh's
alleged
improve-
ments.

The convict
labourers.

King's
friends.

wait on him to explain the cause for such order, and he let all great men in authority, indignant. Johnston informed that he would write to the Commander-in-Chief with (sic) interference with the private detail of the regiment. They may see we are not travelling on velvet. Jamison, who accompanied the Major, was broke from being a magistrate a few afterwards. From this you may judge how things are; but afraid, not how they will be long. I wish very much that where you now are. I probably could make interest to get Bligh's despatches, as I am told they are full of the beautifications which he has made at Sydney. I declare to you, upon my honour, he has not made the smallest alteration, except that of colouring the storehouses yellow, and reshingling and relaying the floors of one of the granaries. He has, indeed, had about 40 or 50 men at work at the church, and has got the bells, or, rather, iron clappers up (they are no bells),* and we are amused with their clattering when His Excellency goes to church, or on any memorable occasions such as when Gore's trial was over. The poor mechanic is obliged to work from morning till night, breakfast and dinner hours excepted, and complain much, and at which I am not sorry for when they were well off they did not seem to know it. You must naturally expect from this circumstance alone that the colony flourishes apace, and that thieves will not catch thieves unless they are obliged to do. It, however, gives me much pleasure to hear every description of persons (a few who you can guess except) heaping blessings on the head of my friend, the late Governor, and his family, praying for his return, for his health, and for his goodness to them when here—nay, even those who were the most censorious and abusive are now his greatest advocates. Such is the fallability of mankind; they see their error when too late. If you were to God you could be only invisible here for a few hours. They would then judge of some countenances which I could not

Gov. King's were, but picked as I would have done had I been Governor King, besides pigs, sheep, and every kind of stock wanted. I am sure that when he goes that sofas and every kind of furniture will be cheap, as a ship would not carry the half of what he has already; in short, he is making hay while the sun shines as fast as he can. I often think what a fool some of my friends were. He has 40 or 50 men at work at the Nepean on his farm, and he has given Thompson 3 cows for his attention to his concerns, and has also given him that place opposite Lord's (Mrs. Moor's) to build on; and tho' he says King had no authority to give leases, he continues to do so to his favourites.

1807

25 Oct.

—
Making hay
while the
sun shines.

He has so changed everything about Government House that you would be entirely lost in it; but I cannot point them out to you—the vast alteration. The shrubbery has also undergone a thorough change—no grass now growing in it, all laid out in walks with clumps of trees. Even the poor tomb of young Kent is annihilated. All the rocks in the garden is blown up and carried away. Not less than 80 or 90 men have been constantly employed since you went away for these purposes. Carriage roads are now all round Bennelong's Point, and down about Farm Cove, all ditch'd in and no thoroughfare allowed. All dogs are ordered to be shot, at which his secretary and body-guard have had much amusement. He has ordered Murrant's house and all that row* to be pulled down, and which has been done, to the total ruin of those poor wretches.

Government
House.

Carriage
road in the
Domain.

Even the house of D. D. Mann has been ordered down; but, as he is in Palmer's office, I presume he has got some interest, and as Mr. Mann has stated the great expense that he has been at, I am told Gov'r Bligh has recommended him to prosecute King.

Buildings
near
Government
House.

In short, the number of unprecedented things done about Sydney since you left it would stagger belief or description.

Your old servants, William and Harriot, are well, and have written to you. The Governor has not even let their lease alone.

Capt. Forrest† has been down in a small vessel called the Duchess of York—having left the Sydney—but brought nothing for you or the Governor. Capt. McArthur, with his wife, by report, are well, but Miss Elizabeth has been very ill with a sore throat for some time past. Mr. Davison is gone to India on some speculation, and the rest of the young folk are well. Mr. and Mrs. Minchin, Major Johnston, Jamieson, and Blaxcell are well, [and] desire to be remembered kindly to you, as does Symons and the officers of the

Friends of
the family.

* The row ran in a N.E. and S.W. direction, and was at the rear of the old Government House at the top of Bridge-street. See map enclosed in Bligh to Windham, 31st October, 1807, post, p. 366, and Bligh's Order of 23rd July, 1807, ante, p. 275.

† Captain Austen Forrest. According to the *Naval Chronicle* (vol. 28, p. 440), he had been an officer of distinction in the East India Company's Naval Service. He married Miss Matcham Pitt—cousin of Lord Nelson—and is alleged to have bought Governor Hunter's estates in New South Wales, where he settled. He was killed on 12th December, 1811, by a fall from his horse. Hunter, it should be stated, informed the Government long after he left the colony that he did not and had never owned a foot of ground in the colony.

1807 Porpoise. They are now at the Derwent. I heard a few days ago
25 Oct. from Port Dalrymple, from Mrs. Paterson. She tells me the Colony is but very poorly. Grimes has been down there surveying for these several months past. It is but two or three days' walk from one settlement to the other; many have been back and forwards.

We have begun to withdraw Norfolk. I have been a few days since over that beautiful farm of yours, and over all Betts'.

Agriculture. As I have written to the Governor I shall say little to you about farms except that if all the wheat in New South Wales was like that in your paddock there would be little fear of our starving next year, and which I rather dread, as no cultivation is carried on on Government account, nor men allowed to the settlers, but employed about little town jobs—nor indeed do I think that the Gov'r ever gives it a thought, not in my opinion having two ideas of his own; and this much I can say, that men did more labour in four hours in Gov'r King's time than they do now in the whole day, as it appears nobody's business to look after them. I think I hear you exclaiming, "Gracious Father, Mr. Harris, what have you done with the Orphan School?" To which I reply, "I have left it, Mrs. King"; consequently no good can come of it. Mr. and Mrs. Stroud left it when their daughter got married to Mr. Apsey. I am very sorry Jamison also quit it.

* * * * *

Mr. and Mrs. Persset (?) are now in it. A Mr. and Mrs. Merchant, who came out from England, as I am told, for that purpose, would not answer.

A vessel
from South
America.

A signal has this morning* been made for a strange ship. It proves a prize to the Cornwallis frigate, now on the coast of Peru. This is the third she has sent down, but this is the first that has arrived as yet. The Cornwallis was here some time since. She is the finest frigate I ever beheld. She is commanded by a Captain Johnston—cousin to the Major. The vessels were consigned to me and Governor's secretary. She has taken 15 as per list sent the Major, and has made great harvest on the coast, and said to be full of riches. This ship is laden with spirits, rice, and sugar—all in great demand. The other vessel sent had 30,000 gall's of spr's on board; and the Atlantic—formerly ours—having 20 guns on board, he says he will send with sugar; as also a ship with tobacco, called the Rosilla.† The ship that is now coming in is called the Pegasus. Dam the prizes. I want to have nothing to do with them under such a Governor. I had enough of the last. I think now, my dear Mrs. King, I have given you all the news I can remember worth relating, and I am sure that I have

Spanish
prizes.

* According to the shipping list published in the *New South Wales Almanac*, 1808, the Pegasus (the vessel to which Harris here refers) arrived at Sydney on the 31st (sic) September. She arrived on 1st October, 1807. The first part, at all events, of Harris' letter must therefore have been written in September, if not earlier.

† Neither the Atlantic nor the Rosilla arrived at Sydney.

ried your patience. But I had almost forgot to tell you that I 1807
 ave been very ill for two months last past, but am now getting 25 Oct.
 uite well. I write this scrawl at Ultimo, where I go to get out
 f the way, for my house is constantly full when they know I am Harris at
 t home ; by this you will judge that I am not in disgrace. Ultimo.

You may expect to see me in Europe by the Albion, which I His
 xpect will sail Home in 10 or 12 months.* ; therefore don't be projected
 urprised to see me dining with you some short time after that visit to
 ithout invitation, as you know I never stand on ceremonies with England.
 ld friends.

That I shall be happy to see you, you need not doubt, for I have
 een in constant anxiety ever since you left us ; and had I known
 ut the half of what I now do, nothing should have prevented
 e accompanying you.

Remember me kindly to Miss Maria, Elizabeth, Mary, and
 Philip, and my worthy Governor—say how I long to see them.

God bless you, my dear madam.

I am, &c.,
 J. HARRIS.

GOVERNOR BLIGH TO THE RIGHT HON. W. WINDHAM.†

Government House, Sydney, New South Wales,

Sir,

31st October, 1807.

31 Oct.

In my despatch of the 7th of February last‡ I had the Bligh's
 onor to assure you of my intentions to transmit for your infor- description
 nation a description of this colony, as soon as I felt myself com- of the
 etent to do it without material error ; and on this task I shall colony.
 rincipally devote this letter.

The inhabited and cultivated part of the land, together with Area of the
 hat which is not granted or leased, considering the sea and the settlement.
 whole extent of the Hawkesbury River (as far as it is known) to
 e its boundaries on the east, north, and west, and an imaginary
 ast and west line on the south, may be considered to contain one
 housand four hundred and fifty-two square miles—of which one
 undred and forty-two are granted to individuals, one hundred Land grants,
 nd sixty-two to Government, thirty-nine and an half as commons, &c.
 nd twenty to the Orphan School ; therefore, the remains of land
 noccupied is one thousand and eighty-nine square miles, one-third
 f which is probably not fit for cultivation.

Within these limits are many creeks, springs, and ponds of fresh Water
 ater. Although not so bountifully supplied as in other countries, supply

* Major Johnston ordered Harris, in April, 1808, to return to England with his despatches
 y the ship Brothers, which sailed on 2nd May, 1808 ; but at the last moment a severe
 illness prevented Harris from taking his passage in that ship, and Lieutenant Minchin was
 irected to embark in his stead. In his letter of 11th April, 1808, post, p. 586, Major
 Johnston stated that a few officers had displayed a vexatious opposition to his Government,
 nd that in consequence of the necessity for sending the most active away he had directed
 rimes to sail in the Dart and Harris in the Brothers with his official correspondence.
 arris sailed with Johnston and Macarthur in the Admiral Gambier on the 28th March, 1809.

† Marked "General Letter."

‡ Ante, p. 246.

1807

31 Oct.

yet the fine river of the Hawkesbury (notwithstanding the evils attending it by floods) is a great benefit to that principal part of our corn settlement, which, taking in all the winding, is an extent of more than sixty miles.

General
appearance
of the
country.

The face of the country is generally very hilly. About Botany Bay and neighbourhood of George's River it is flatter, with extensive swamps and the shores low. The view from any of the roads or hills is extremely confined, owing to every part being very much covered with trees of a dark sombre hue, without any variety of tinge to relieve the eye. To the westward of the Green Hills on the Hawkesbury are very high mountains, and I have seen some in the north which I consider forty leagues distant. The other part of the country on this side the river, westward and southward, is formed in hills and dales, waving like the sea, their bases nearly uniting and rising as they advance towards the high mountains; to this may be attributed the overflowing of the river during heavy rains, because they form receptacles at these times which pour in torrents to empty themselves, independent of any regular rivers (with which we are not yet acquainted) that may fall into the upper part of the Nepean. Northward of the Green Hills is the only extensive flat we know of, through which the river's course serpentine considerably; the other low grounds may be considered as only borders to the hills. At the southern extremity of the Nepean, on the west side, lie what are called the Cow Pastures, and come within the foregoing description, the cattle ranging over and about the hills without any plains to graze on.

The
Hawkes-
bury
district.

View from
Grose Head

From a high commanding situation, called Grose's Head, my representation of this part of the country was taken, and from whence I saw no reason to suppose the country was not accessible in any direction, or the wild cattle confined therein.

Soil near the
Hawkes-
bury.

The best soil of this country lies on the west side of the Nepean and Hawkesbury, and about the banks of those rivers; in most parts it is extremely rich, but in some are rocky projections which are generally of a sandy texture, while the bed of the river consists of pebbles which are brought by the torrents from the interior of the country. On the east side of the Nepean to the sea shore it is variable, but worst of all near the coast, where it is very sandy and will produce nothing but native shrubs. In this neighbourhood the rocky land particularly abounds, as likewise along the first part of the Hawkesbury River from the sea. The intermediate spaces consist of a hungry non-gravelly soil, which, when once broke up does not for many years recover the natural grass; of a stiff poor clay, with an under-strata of slate, or indurated clay, between which, in some places, I observed (by digging) that at intervals of nearly three feet were thin stratas of reddish iron-stone and of clay mixed with sand, but still too stiff to work in

Character of
soil near the
coast.

very dry weather. The mellow and better parts consist of the same, intermixed with a fine vegetable mould, which is easily broken up and harrowed. 1807
31 Oct.

No marle, chalk, or limestone has been seen. Pure clay is about Sydney, and for the purposes of making bricks there is abundance in many parts of the country, tinged more or less with a red colour.

In the material and absolutely essential pursuit of cultivation the most extreme and arduous labour is bestowed. Trees of great size must first be cut down; the trunks then being arranged are burnt off, and the ashes dispersed, before the ground is hoed and prepared to receive the grain. This severe labour of hoeing must continue in most places while the stumps of the trees remain in great numbers and lie near to each other; but as I am encouraging the use of the plough, and granting oxen to those who desire to purchase them—to work where they can be applied—we hope to see this labour reduced and more work executed. Labour required to clear off timber.

The actual cultivators of the ground in all the old farms perhaps may just now feel smaller returns than the new settlers, owing to their having so much longer tilled the parts of the estates they hold without any intermission. Where the soil remains good, as on the banks of the Hawkesbury, or places similarly situated on the sides of the creeks, this may not be felt; but on the hills, in the neighbourhood of Sydney and Parramatta, where the soil is not deep, it must be expected to fail, and other parts of the land must be cleared. Exhausted soil.

Experimental farming cannot be pursued in an infant colony, unless we consider it adopted here by the ignorance of those who possess grounds and never knew the practical part of agriculture. Most of our settlers have been of this description. The advancement, therefore, we are to expect is by such general good rules to lead them to industry as are simple and efficacious. Experimental farming.

In order to obtain these ends, the improvement of the impoverished or worn-out estates must be attended to. Certain portions should only be cultivated at proper intervals of time, in order that the strength may be recruited either by natural or artificial means. No more grain should be sown than the farmer can keep clear and secure. His family wants in the year should be provided. His excess should be capable of being turned into good payments to procure other necessaries, and the independence which every good man looks forward to and blessed hope tells him to expect. Improving the impoverished soils.

To these objects the honest settler now seems to attend. He is sensible that ten acres of grain, cleanly and judiciously sown and reaped, will return him more than fifteen in the usual slovenly manner that it has been done, besides relieving him from the extra labour which conduced to make him poor; and by this means also his garden will be timely cropt, and the potatoes, Better methods of farming.

- 1807** pulse, and vegetables reward him for the time he can allot to this purpose. On the part of Government every assistance is given that it sees will accomplish these desirable ends. Prisoner servants of the Crown are allotted to settlers according to their industry and capability of maintaining them. Cattle and stock allowed to all who can purchase them at two thirds and half the price they can be bought for from private individuals. This will enable them not only to plough, but to manure and fence-in their ground, which I have earnestly recommended, and will become a general system in due time.
- 31 Oct.** **Government aid.** The barter of spirituous liquors is prohibited, by which means hired labour is become secured more equally to every man; and the floating paper money of an undefined value, besides an unsafe medium, is now obliged to be drawn payable in sterling—two circumstances which have relieved the merchant and the honest man from the designs of the knave, and prevented the most extraordinary litigations being kept up that ever happened in any country.
- The spirit traffic.** Besides English grain, we have a more staple crop in Indian corn, and it can be produced in abundance. It is not liable so much to the blight and other casualties as attend English grain, and is sold at one-half, and sometimes one third, of the price of wheat.
- Indian corn.** Government farming is in a certain degree necessary, because it is a check on the price of grain. We have at present one hundred and fifty-one acres of wheat and sixteen of barley and oats, besides two hundred and twelve acres of ground prepared for maize, part of which is already planted; and the crops throughout the country promise well. The wheat is now in ear, and the weather very seasonable.
- Farming by Government.** The grazing ground is in all parts of the country, but the grass fails, and the cattle are very poor four months in the year. Some of the natural grasses make very good hay. In order to prove this, I have from the neighbourhood of Sydney supplied the horses and cows about Government House during the whole winter, and have now a fine stack standing, which is the first ever seen in this country.
- The pasturage.** Many artificial grasses might be brought to us; but I apprehend the rye and clover grass will be of greater advantage than any other. About nine months since an acre was sown at the bottom of our garden, which has flourished in a charming manner. It has been fed upon and cut twice, and is now in fine bloom left for seed. In low grounds it will vegetate throughout the year, but upon the hills it will not answer so well. However, I have every expectation it will come into general cultivation, and the cultivation at large annually improve. By the result of the muster taken in August last, which is herewith enclosed, it will be seen that upwards of thirteen thousand acres were cultivated.
- English grasses.**

The climate is extremely salubrious and temperate. During a short space of the summer it is very hot, and a few days' hot winds, blowing across the country from the north-west, are scorching and unpleasant, affecting our fruit and vegetables. 1807
31 Oct.
The climate.

In the winter and spring we have slight frosts, but after the month of September they do no injury, and the planting of maize comes general.

The monthly medium of the thermometer at noon is as follows :— Mean temperature.
 1806 : November, 68° to 84° ; December, 65° to 103°. 1807 :
 January, 66° to 95° ; February, 67° to 84° ; March, 66° to 84° ;
 April, 65° to 83° ; May, 56° to 77° ; June, 52° to 65° ; July, 56°
 68° ; August, 56° to 75° ; September, 59° to 77° ; October,
 53° to 92°.

With respect to the winds, they are nearly the same as in all variable climates, except in duration, when they blow violently, which is by no means so long as in situations more remote from the Equator. The winds.

The rains are more like those within the tropics, falling with great violence ; but, nevertheless, we have moderate showers advantageous to agricultural pursuits. Seasons of drought and south-west winds the country is sometimes injured by, as likewise by lightning, which causes blight, fly-moth, and other pernicious insects ; but no general calamity do I believe the colony subject to more than any other country situated in the same parallels. Tropical rains.

Under the head of people is to be considered the convict prisoner, the convict who has obtained his freedom, the free settler, the civil officers of the Crown, and the military. The population.

It is to be deplored that by far the greater part of the prisoners remain, after their servitude, the same characters as by their vicious habits they have maintained in their career of life, notwithstanding the rewards and blessings offered to them to do well ; but the road to it being honesty and industry is an insurmountable barrier. Unreformed prisoners.

This melancholy truth has been proved by many of the emancipations and free pardons which have been given. Even those who have been raised to some degree of wealth by such means, if applied they leave off thieving, their habits of cheating and knavery seem to be increased by the giving up the other vice. Fair and honorable principle they cannot admit in competition to their habitual reasonings, which make them the most troublesome characters to society and regular government. Not until the next or two generations can be expected any considerable advance to morality and virtue. Bad characters amongst ex-convicts.

By the leading people of this class, several masters of ships have been ruined, the merchants at home defrauded to a serious amount, and the mercantile interest almost destroyed. With constant litigation and infamous prosecutions in the Courts they have been accustomed to be gratified. Extortion.

1807

31 Oct.

Free settlers
a thought-
less class.The
Blaxlandsmilk
vendors, &c.Government
aid to free
settlers.Assigned
convict
labourers.

The free settlers, hitherto, have been in general a thoughtless set of men, yet, nevertheless, not sparing in their labour to clear their lands. Many of them are still addicted to liquor and disposed to get in debt; while others are becoming cautious in their concerns, and, uniting with acknowledged honest men, do their utmost to procure domestic tranquility.

Classes of plain sensible farming men, of moderate expectations, are the most valuable to come here. Such as the Blaxlands, who lately came out, become so speculative as to care for nothing but making money. They endeavor to monopolize under a principle of buying as cheap as they can and selling dear. The Blaxlands, in a partnership, seem to turn their minds principally to grazing and selling the milk of their cows and butcher's meat, which is attended to by Mr. J. Blaxland, in a house at Sydney where he resides, while his brother remains in the country purchasing live stock from those who can be tempted to sell it. The former is very discontented with what Government has granted him, although it is in itself a fortune. This, with other circumstances, has led me to draw up for my own guidance a plan I mean to pursue in case persons come here as settlers without having the number of cattle and servants specified for their use and benefit—and herewith beg leave to submit it* in order that I may be directed to increase or diminish what may be thought proper. On this subject, sir, I hope to be excused in remarking that as the principle of giving prisoner servants is to promote the cultivation of the land and the wealth of the employers, and to that end they are to have them for a fixed duration of time of eighteen months, if the number so allotted exceeds what they demand and can possibly employ, whether it is proper they should benefit by the excess: as, for example, Mr. J. Blaxland is allowed eighty men (being one to every hundred acres), for eighteen months. Now as he has at his request taken only twenty men, he will have them six years, whereby a settler of this description has a prodigious advantage over the one who has two thousand acres and twenty men allowed at the same ratio, eighteen months, whom he can employ as much to the benefit of the colony as the other. Again, suppose Mr. J. Blaxland to let his estate, except one thousand acres, and takes only ten men, his whole allowance of servants will then keep this property in cultivation twelve years without any expence for labour, which throws a great damp on the spirit of the other settlers who come out and cannot have more than eighteen months of Government labour; as also on those who have been established for some time and are necessitated to pay for such labour as they may require, excepting in cases where Government is able to allow them to take convicts off the store, when they have only the expence of victualing and clothing them—and this is an object of importance—as to the settlers we look principally for a supply of grain.

* See the enclosure to this letter, post, p. 365.

As to the civil officers, I must in point of duty, as in honor, subject to Mr. Atkins, the Judge-Advocate, and Mr. Jamison, the principal Surgeon, who I have permitted to remain in office on account of not being able to supply their places ; but the latter I have dismissed from the office of a magistrate, because I considered him not an upright man, and inimical to Government, as likewise connected in improper transactions. With respect to Mr. Atkins, more particularly, he has been accustomed to inebriety ; he has been the ridicule of the community ; sentences of death have been pronounced in moments of intoxication ; his determination is weak ; his opinion floating and infirm ; his knowledge of the law insignificant and subservient to private inclination ; and confidential secrets of the Crown, where due secrecy is required, he is not to be trusted with.

1807

31 Oct.

A grave charge against the Judge-Advocate.

As to the military, about seventy of the privates were originally convicts, and the whole are so very much ingrafted with that order of persons as in many instances have had a very evil tendency, and is to be feared may lead to serious consequences, more particularly from their improper connection with the women, by whom they have a number of children, and which lessens the respect due to the virtuous mothers and their families.

Ex-convicts as soldiers.

Considering this to be the case, there is no remedy but by the change of military duty, a circumstance which can only prevent a mixed corps becoming a dangerous militia ; while, by the removal of both officers and men, it would be a valuable corps for immediate service, and that which relieves it be inured and rendered fit for any climate in its turn, and would be a regular routine of military duty, and conducive to promotion.

Regular relief of military advisable.

In the description of the colony to which I am advanced, it appears necessary to notice the administration of law and justice.

The Courts of Law.

The colony is so far improved that the superior people now look with concern on the Civil and Criminal Courts as established by the Patent, and are particularly desirous that the military may have nothing to do in the jurisprudence of the country, either as magistrates or jurors. The present Judge-Advocate they consider a very unfit person to correct errors or narrowly to search after the truth. The semblance also to Courts-Martial is become irksome.

The Civil Court they think confined to too few members. To both Courts they attach partiality in decision, which to a greater number of jurors such censure could not be attributable. It appears to me that a mode approximating to the British forms would be very beneficial and acceptable. How that is to be effected would be presumption in me to point out ; but consider it a duty I owe to humanity and justice to pray that the present Judge-Advocate may be immediately superseded by some honorable and judicious lawyer with a salary which will make him independent, and other indulgences equal to the most favored settler.

Reform of the Civil Court.

- 1807** In order to show what means we have to support a change, I have to observe that there are now one hundred and sixty-six free men holding land who have not come here under the sentence of the law, including the civil officers, for I consider that the other description of persons should not be competent to sit in any Court of Justice, nor their children after them, until a certain period of trial ascertains that they are become fit members of society.
- 31 Oct.** Original free settlers.
- Provost-Marshal Gore.** In a circumstance which lately took place, never was there more villainy attempted to ruin the character of a gentleman than in an attack made on Mr. Gore, the Provost-Marshal. One who I have had occasion to mention before in this letter, a convict a few years back and a bad character, but now raised to some wealth and gone Home in the Sydney Cove, charged him with improperly issuing part of a fifteen-shilling bill; and the gaoler, formerly a convict, another infamous fellow, charged him with stealing a piece of green-stone not worth sixpence, but which, with curiosities, was purchased by Mr. Gore. The Justices in error committed him to be tried by the Criminal Court, which acquitted him. Mr. Gore was recommended by Earl Harrington to Lord Castlereagh when Secretary of State. His conduct has been such as to merit my approbation, and he has not lost the confidence placed in him.
- He retains Bligh's confidence.**
- The Governor absolute.** I must now beg leave to state, in concluding this subject, in case any change may be thought proper to be made, that the Governor should remain invested with the same power he now holds. He must be determined and firm in his measures, and not subject to any controul here. If he was to be cramped by a Council it would cause great trouble in this colony.
- Trade and manufactures.** Our trade and manufactures are naturally in a very infant state. The whale fishery contributes to the advantage of the English merchant, and to those persons here who have craft and can send out people on different parts of the coast to kill seals for their skins, which they sell for a good price, or send Home to their agents or consignees.
- Shipping and the island trade.** The Colonial vessels are likewise employed in going to the islands within the limits of the territory, trading with the natives for sandalwood for exportation in transient ships, which have authority to proceed Home by the way of China. Our exports besides consist only of grain and meat, which the shipping may require, and a few ornamental woods, which are of little consequence.
- The southern whale fisheries.** The whalers, being confined by their charters to fishing only, import few of the articles which would be acceptable. At present, therefore, we have to depend only on an annual ship or two, as is or may be established, and an occasional ship belonging to the free merchants of India, which may be sent hither by permission, or a chance American who may venture to come to this market. **BY**

se limitations, and a prohibition on the part of the colony from 1807
 iding to the East Indies, it receives very trifling benefits from 31 Oct.
 ence, and suffers great deprivation of necessary supplies.

Manufactures are extremely trifling. A small quantity of coarse Colonial
 en and sail-cloth, with coarse blanketting, a poor pottery, and products.
 e tanning of leather are all we have at present, and in conse-
 ence our wants are the greater ; but it is to be expected that
 e cultivation of hemp will hereafter be more considerable, and
 at cordage will become a valuable staple and make an ample
 turn. The flax likewise will be attended to, and the manu-
 cturing it receive all the support that Government can give.

Brewing is carried on principally with maize, and the beer Brewing.
 nerally drank ; but hops do not at present grow well, and no
 od succedaneum is yet discovered to answer their use, from which
 use the beer will not keep.

Peach cyder might be made in large quantities, but we have not Cider.
 et been able to prevent it from fermenting and becoming sour,
 hich I have attributed to its not being sufficiently racked and
 leansed of the pulpy substance of the fruit. The premium of a
 ow, which Government offered last year to the person who would
 roduce the two best hogsheads, may have a good effect.

Salt is now produced in tolerable perfection, and by being Salt.
 leansed better than formerly cures meat very well and enables
 he industrious fisherman to salt his fish, and the merchant to pre-
 erve his seal skins.

Hereafter we may expect great advantage from hides and tallow ; Hides,
 rom coals also something may be expected ; and these articles will tallow and
 ecome objects of my earnest consideration, as will every thing coals
 hich may arise out of unforeseen events, as they occur. This
 eads me to consider when supplies of salt provisions may no longer
 e required from England. It would be satisfactory if any cal-
 ulation could be depended on to ascertain this point, but it must
 o rest on circumstances that any conclusion deduced therefrom
 ould partake of their uncertainty ; but I propose reducing the
 issues next year by killing oxen ; in the subsequent year, if no im- The supply
 policy of such a measure prevents me, we shall increase the number of mmeat.
 to be slaughtered ; and so proceed on with due precaution to the
 interest of the general stock for supplying settlers and to the
 advantage of agriculture. In this particular, Government will, I
 expect, next year feel a material saving by the sale of female stock
 to the farmers for wheat, and thus the common progress will render
 it less necessary for Government to keep so many cattle, or grow Government
 grain, as what may be required may be purchased at a moderate cattle to be
 price from individuals ; and then, no longer being in need of so disposed of.
 many servants, they may be distributed to those who want them,
 and the establishment become a certain expence to the Crown,
 which will admit of further regulations. As to the time when all

1807 these things will happen I cannot pledge myself; yet it may be
31 Oct. expected within the following six years, however short of this time
we may flatter ourselves to have it accomplished. It will, therefore,
be necessary to have salt meat sent out until we can see our way
with certainty, lest any unforeseen accident may happen to the
source of our Colonial supplies.

The wild cattle. With regard to the wild cattle, we have during the past winter
begun to make use of them by killing some of the outcast bulls
from the herds and taking a few calves alive. The next winter
we shall do the same, but as during the summer the meat cannot
be cured the taking of calves will be our pursuit, in which I hope
experience will teach the party employed how to be more successful
than they have hitherto been.

Cost of killing wild cattle.	The expences in killing nineteen bulls and one calf, and					
	taking eleven calves alive, including the loss of a					
	horse,* valued at £100, has been					
	The value of the bulls and calves					
	Profit to the Crown					
					£	s. d.
					307	12 10
					390	12 0
					<hr/>	
					£82	19 2

But the debit of this account being charged to the utmost, the profit
is virtually more than stated.

Schemes for capturing wild cattle. By the wild cattle is to be understood animals which no barrier
practicable to be made by us at present can confine, and no body
of men turn if they want to escape. Gentle means must be tried,
and to this end, in the hilly country they inhabit, we mean to entice
them by tame cows, and on the same plan to catch their calves.
Snares, I fear, will not effect anything to pay for the expence of
catching the few such a plan would produce From the nature of
wild herds, a number of bulls are driven away by the superior
animals, and are called off-casts; these range the hills and valleys
by themselves, from five to ten, fifteen, and twenty in a herd, and
it is such animals only we have shot.

As to the plans of some individuals,† they appear to me to be so
self-interested that no ultimate good would attend them. At all
events, I think it best that Government should for some time
longer keep the concern in their own hands and make some farther
experiments in catching them.

Sheep and wool. My letter by the Buffalo‡ will explain farther on this head, as
likewise on sheep and wool. On the latter I cannot help observing
that some wrong impressions were made in England by reports of
the exportation expected from this country. Some of the ships
which arrived about the time I did had orders to purchase what
was ready, but they found none for sale.

* Killed, and the rider hurt, by an attack of a bull.
† The only scheme proposed by an individual of which we know anything is Macarthur's
proposal to King, ante, p. 24. King refused to accede to Macarthur's proposals, in view of
the expected arrival of Bligh. ‡ Ante, p. 248.

.....



The town of Sydney is much improved ; but the church taking more time to complete than was expected, it will not be ready for the performance of Divine service until after Christmas. Eight bells were first rung on the 29th of May last, which, although too small, give a cheerfulness to the inhabitants and command attention on the Sabbath day. Of this building I send a sketch.*

1807

31 Oct.

Improvements in the town of Sydney.

To His Majesty's most gracious gift of plate for the Communion Service, may I be allowed to hope that coverings for the table, pulpit, and desk will be added† to complete this comfortable place of Divine worship and remove the heathenish aspect which this place has had heretofore.

Church furniture.

When Governor Philip quitted this colony he left a memorandum, as may be seen in the plan of the town sent herewith,‡ that no part of Sydney should be leased away, but the whole to be considered the property of Government. In June, 1801,§ Governor King issued a General Order that leases might be granted for five years. After his departure—and I had begun to make my remarks as circumstances arose—I found several leases given and renewed in January, 1806, for fourteen years, which were eligible and wanted for Government purposes.||

Plan of the town of Sydney.

Leaseholds.

Lot 77 (not built on)—Notwithstanding it belonged to the church, which was too much confined, Mr. McArthur got a lease of for fourteen years, which if he holds will deprive the inhabitants of a great convenience, as well as the public place of worship.¶

Church lands.

Lot 93—Leased for fourteen years to one Lucas, within the limits of the church, as that of Mr. McArthur's.

Lot 8—An extensive lease of garden ground contiguous to the gaol, which should have been for the use of the unfortunate prisoners contained therein, was renewed to Major Johnston, who lets it out to a private individual.

Lot 16 (not built on)—A part of Government lumber-yard, where the carpenter's and smith's shops are leased for fourteen years to a Mr. Blaxcell, to our great inconvenience for want of room to carry on the general works and security of the materials. This and the present lumber-yard were one, and for which the allotment No. 80 was given in March, 1802, for five years, with a promise of its renewal until twenty-one years should expire,

Vacant lands.

* This sketch is not available. The accompanying plate is reproduced from Fowles's *Sydney in 1843*.

† Foot-note by Bligh.—“Together with Bible and Prayer Books.”

‡ See the plan to Sydney, 31st October, 1807, which accompanies this letter.

§ See vol. iv. p. 402.

¶ See Government and General Order of 23rd July, 1807, ante, p. 275.

¶ The positions of these grants can be traced on the map which accompanies this letter. Lots 77 and 93 were on Church Hill. Lot 8 was on the eastern side of George-street, opposite Essex-street. Lot 16, on the southern frontage of Bridge-street, extending from George-street to the Tank Stream. Lot 79, on the northern side of Margaret-street, between George and York Streets. Lot 78, on the western side of George-street, between Jamieson and Margaret Streets. Lot 66 (see foot-note on Government and General Order of 23rd July, 1807, ante, p. 275). Lot 72, between George and Pitt Streets, near the old Queen's Wharf. Lot 15, on the western side of George-street, near Jamieson-street.

- 1807
31 Oct. whereon are two windmills and a bakehouse of considerable value, belonging to Mr. Palmer, in consideration of which the promise was made.
- Other leaseholds. Lot 79 (not built on)—Leased to a Mr. Harris for fourteen years, detrimental to the parade, as buildings may be required to be erected thereon.
- Lot 78 (on which is a public-house)—Leased for fourteen years. Too nearly connected with Government granaries.
- Lot 66—Leased to David Dickinson Mann for fourteen years in June, 1804. It is close to Government House, and a great annoyance.
- Lot 72—Leased to Mr. Surgeon Jamison for fourteen years (not built on), while it is wanted for Government's boats' crews, in addition to the one they now have adjoining thereto.
- Lot 15 is a house and garden, leased to Colonel Paterson for fourteen years in August, 1804. It has undergone some improvement since Colonel Paterson got it originally from Colonel Grose, and is the most fit place for a Lieutenant-Governor's house.
- Government grounds. I have given these descriptions to show how much Government is confined in any arrangement it may think proper to make for its use or ornament of the town, and which should have been attended to agreeable to His Majesty's Instructions. Those persons holding the lots without any buildings thereon I have warned that whatever they erect will be at their own risk ; and on these heads I beg leave to request instructions.*
- Parramatta and the Green Hills. Parramatta and the Green Hills at the Hawkesbury may be considered as villages to Sydney, the whole of the inhabitants getting their livelihood by various ways, carrying on a small traffic with grain and merchandize, and raising poultry and swine ; also, at Sydney a number of persons employ themselves catching fish for the market.
- Van Diemen's Land. The condition of the public buildings at each place on the 13th of August last will appear by the enclosed statement.†
- The settlement at the Derwent. The out-settlements of the Derwent and Port Dalrymple I have no personal knowledge of, my presence at Sydney being indispensably necessary.
- Lieutenant-Governor Collins's accounts lead me to hope that the Derwent will turn out extremely well. We shall not fail to supply and keep it on a footing with ourselves unless any misfortune happens to our shipping to prevent it. They will now begin to have resources within themselves as to food and cultivation. The people who go from Norfolk Island will be a valuable acquisition to this settlement ; and a ship with about one hundred and fifty or two

* Bligh went further than this, and ordered some of those who had built to remove their houses. A considerable amount of evidence on this point was elicited at the trial of Lieutenant-Colonel Johnston for deposing Governor Bligh. See the proceedings of the Court-Martial, by Bartrum.

† Not available.

and convicts, part artificers, with all necessaries and agricultural implements, would render it a most essential service, and might be supplied with Port Dalrymple. As they become acquainted with the soil, the inconveniences they have experienced in agriculture, it is to be hoped, wear away; and if every man with his own skill puts his shoulder to the wheel, which it will be his duty to do, they will become of some importance, by supplying the colony with wheat, grain, and other articles which the country can produce, and iron if it becomes an object to work the ore.

1807

31 Oct.

The Norfolk
Island
settlers.

the dependency and Port Dalrymple have no doubt experienced great difficulties; but this part during the time suffered more than the other.

Food
supplies.

When I first visited the people, many families fed on kangaroo but a native plant not much unlike our spinach when in season; while the Derwent and Port Dalrymple had kangaroo, here is seldom to be procured.

Though I shall speak of Port Dalrymple separately, I may mention here with the Derwent to request that the patents for the Criminal Courts for those places may be sent out by the next opportunity. As the greatest inconvenience arises from not being able to try offenders, it is an object of great importance; and at two Judge-Advocates of respectable law abilities, as well as moral qualities, should be sent, one of whom to supersede Mr. Bate, who Lieutenant-Governor Collins informs is totally unable to hold the office, and otherwise a very improper person*; and another to fill the situation at Port Dalrymple.

The Courts
of Law.

Lieutenant-Governor Paterson's account of Port Dalrymple is very flattering. He describes it to be luxuriant in all its herbage, and that the cattle thrive upon it to his utmost expectation; but points out a great failure of the crops occasioned by frosts, which are very predominant throughout the year, and a discontent among the few settlers he has had on that head.

Paterson's
account of
Port
Dalrymple.

On this settlement I cannot but express the concern I felt soon after my arrival at finding it not fixed in its head-quarters as I expected. Yorkton had every disadvantage. Besides being exposed to wind and inconvenient to ships in landing their cargoes except by a small water, it is forty miles distant from Launceston. To this has followed not only a disjunction of the people, but natural consequences which always attend a small party being divided. In consequence of this I ordered the Surveyor-General† down in the month of March with Colonel Paterson, directing him to return with a correct survey and Colonel Paterson's reports, which I am under great expectation of, and shall then decide on what is to be done.

Yorktown
and
Launceston.

The colony was singularly unfortunate in the gentlemen sent out as Judges-Advocate. The opinion of Atkins will be found in a previous part of this letter; Hibbins, the Advocate at Norfolk Island, was summarily dismissed (ante, p. 284); and apparently little better.

See Grimes. See his letter to Piper of 28th December, 1807, post, p. 394.

1807
31 Oct.
Overland to Hobart.

During the scarcity which took place at Port Dalrymple the beginning of this year, Lieutenant Laycock was sent across the country to the Derwent and found no particular difficulty in accomplishing it, although he took eight days in his journey thither, and six in his return—the direct distance across is about sixty miles.* This will, of course, become an easy communication, and I think ultimately turn to advantage, whether to the uniting the settlements or otherwise. For farther elucidation I beg leave to inclose Lieutenant Laycock's journal.†

A harbour-master.

Lieutenant-Governor Paterson having represented to me that a harbour master is necessary, in lieu of the former (a Mr. House) who was lost in attempting to reach Port Jackson in an open boat on service, I beg leave to recommend a person of that description may be allowed at the rate of fifty pounds per annum. On the establishment being formed by Governor King there were three superintendants appointed, and Mr. House was paid as one of them; but in the present establishment only two are provided for, corresponding with that of the Derwent.

Deputy Surveyor of Lands.

Also that he has appointed a Mr. Peter Mills to act as Deputy-Surveyor of Lands, and which I beg leave to request may be confirmed.

The copper currency.

I now beg leave to make some observations on the want of money in this country for the use of its inhabitants. Government have kindly allowed copper coin to the amount of two thousand five hundred pounds to be sent here, and it was thought proper to affix a double value to it, by which means it remains in circulation as five thousand. Dollars are more or less in use, according to trade—valued at five shillings—but mostly hoarded up for sinister purposes. I therefore beg leave to mention as my opinion that, to assist the copper coin, if some amount of silver, such as shillings, bearing a descriptive mark of this colony, were sent out—valued at one shilling and three pence—which would serve to keep them here, it would be a great convenience without any expence to Government, as on the first outset the total amount sent out may be distributed in place of bills which will be necessary to be drawn.

A silver coin wanted.

The more general use of money will only come by intercourse with shipping; yet, for some years whatever is derived by that means will be secured by speculators, while the stampd coin will be current.

The paper currency.

The paper medium is a great evil to the poor, although I have made it payable as sterling, because an excessive quantity is put in circulation by particular people, who have no real capital, and if all the notes now afloat were sent to the drawers of them there would be almost a general bankruptcy.

* This is considerably under the mark.

† See the Journal, ante, p. 255.

sent notes are given so low as two shillings and six pence, propose to do away, it being productive of much inconvenience and fraud; and to enact, as in England, that none are to be taken for less than twenty shillings.

1807

31 Oct.

Half-crown notes.

It remains necessary for me to remark on some circumstances which have taken place.

On the 12th of April His Majesty's ship Cornwallis arrived at Port Jackson, commanded by Captain Charles James Johnston,* on the coast of South America on a cruise, and sailed on the 15th.

A man-o'-war.

We have within these few days had intelligence of him which is now coming up the harbour. On the 2nd of May, when she left the Cornwallis, they had taken and destroyed several ships and vessels. By accounts from Norfolk Island a prize was wrecked on her way thither. The crew saved in a boat, but remain there in a very weak state.

On the 15th of June, the Neva, armed storeship, belonging to the Imperial Majesty of Russia, arrived from Cronstadt, laden with stores for the west coast of America, commanded by Lieutenant Lieut. agemeister.† She remained here until the 1st of July, and every supply they wished for, and every respect and attention was shewn to the Imperial flag.

A Russian warship.

In my letter of the 19th of March,‡ stating an intention was on the eve of breaking out, and that the leading conspirators were taken up, I have to inform you, sir, they have since been tried, and the fact, in my opinion, proved, yet they were not—except two, who were sentenced to corporeal punishment. The whole being prisoners for life, I immediately divided them and sent two to each of the settlements of Norfolk Island, Port Phillip, and Port Dalrymple, and kept two here. The two who were informed of this conspiracy gave their evidence so steadily

The intended insurrection.

of Lieutenant-Colonel Johnston, of the New South Wales Corps. See Harris's letter of 25th October, 1807, ante, p. 348.

Sydney Gazette of 21st June, 1807. The vessel was on her way to the north-west coast of America, with stores for the use of the Russian settlement there.

259.

The statement is, in one respect, misleading. Most of these men were sent out in 1805, on the *Porpoise*. According to the official letter which accompanied them (vol. v, p. 683), they were requested to be allowed to banish themselves for life to New South Wales, to be brought to trial." In his evidence—*Trial of Lieutenant-Colonel Johnston*, 238)—Lieutenant Minchin spoke very highly of one of these men—the notorious *Johnston*. In May, 1809, Colonel Paterson gave Dwyer, Devlin, Byrne, Burke, and the Tellicherry men) allotments of 100 acres each in the district of Cabramatta.

On the 19th of March, 1807, and note, ante, p. 260. The evidence given at the trial of the conspirators (eight in number) is not available. The *Sydney Gazette* of 7th June, 1807, contains an account of their trial, held in the preceding month of May. They were charged with living and intending to disturb the peace of this colony by instigating many others to revolt from their allegiance, and to rise in open rebellion, with intent to overthrow His Majesty's Government herein, as well upon the 27th day of August last as at several other recent periods prior to the prisoners being taken into custody." Apparently the witnesses were the two convict informers. To the newspaper man's mind, the evidence was clear and convincing. "It appeared," he writes, "upon the most respectable evidence that the conduct of many of that description of prisoners, who had been exiled to New South Wales, and who had been engaged in seditious practices, had been untoward and highly disrespectful to their superiors, and about the above-stated period, and that, from this sudden change of conduct to the various informations that were communicated by persons whose evidence was to be depended upon, no other inference was deductible than that the projected

1807 as to induce me to give them free pardons, and they remain here
31 Oct. without any apprehension of being molested by the disaffected
Irishmen.*

Convict
stowaways
on returning
merchant
ships.

Although the practice of merchant ships taking prisoners from the colony is much abated, yet it still exists when opportunity offers, notwithstanding the masters of ships are, here, under heavy bonds to prevent it. After the ships have sailed no proofs can be got of their taking such convicts away, except by accident, and therefore no punishment can attach to them before they arrive in England. In one instance three convicts appear to have been taken away in the *Argo*, by a letter to Mr. Harris from John Bader, the master, on his voyage Home, stating their being on board. This ship belongs to the House of Hullets, and was consigned here to Mr. McArthur. As I think this conduct highly reprehensible, and that these convicts may be landed in England, I feel it my duty to mention the circumstance, in case, sir, you may please to approve of any regulation being made with the merchants to prevent such proceedings in future. This Bader likewise informs Mr. Harris that he means to come out with his family as a settler. Should he make application I beg that his request may be refused.

Campbell
and the
Orphan
Fund.

By the accounts of the Gaol and Orphan Funds, which are sent herewith,† I have the satisfaction to shew that Mr. Campbell, the most responsible merchant here, has undertaken the concern at five per cent. on the amount.

The distillation of spirits being prohibited for the best and wisest reasons, everything has been done to prevent such a destructive business being carried on; nevertheless, a defiance has been set up to Government by Mr. McArthur, in importing a still

insurrection was on the very point of bursting forth, and that the devoted victims to delusion and artifice were confident of a successful issue." Notwithstanding the "clear and connected" evidence offered by the Crown, six of the prisoners were acquitted. Two were found guilty, and sentenced to receive 1,000 lashes each, and be conveyed to "some remote place, where the baneful influence of their detestable principles might not be disseminated among other ignorant and credulous persons." The report of the proceedings closed with the following characteristic editorial homily:—"The odious project which has thus happily been laid open had been in agitation for upwards of a twelvemonth. The secret informations received by Government rendered vigilance necessary, and every precaution that had been adopted was immediately succeeded by a change of measures among the principal agents in the work of intended massacre, and had their plots succeeded to their wish, dreadful indeed had been the fate of all whom reason, loyalty, and humanity must inspire with sentiments of abhorrence and disgust at their intended plan of operations." Cf. also Harris to King, 25th October, 1807, ante, p. 338, and Harris's and Minchin's examination at the trial of Lieutenant-Colonel Johnston. On 27th May, 1807, Bligh sent to Norfolk Island on board H.M.S. *Porpoise*, two of these suspects, with the following order, addressed to the Commandant, Captain Piper:—"Michael O'Dwyer and William Morris, two convicts for life being found to be persons necessary to be removed from this settlement, you are hereby required and directed to receive the said two men, and victual them accordingly, taking care that they are not suffered to quit Norfolk Island unless by authority from under my hand. And the said William Morris, having received five hundred and twenty-five lashes pursuant to his sentence of one thousand, you are hereby required to direct the remainder part of four hundred and seventy-five lashes to be inflicted according to the warrant so herewith by the Judge-Advocate." Of the others, two were sent to the Derwent, and two to Port Dalrymple.

* See the *Sydney Gazette* of 7th June, 1807, in which public notification of the pardon these two informers appears.

† Not available.

xty gallons, directed to Captain Abbott, of the New South
 as Corps, brought out in ship Dart, consigned to Mr. McArthur,
 art owner of the said ship with the House of Hullets and
 pany, of London. These stills I ordered into the King's stores
 sent to the Custom-house in London by the safest opportunity.
 heir being directed to be put on board the Duke of Portland,
 coppers were found in Mr. McArthur's house, from whence,
 some objection, they were taken by a young gentleman, the
 al Officer's clerk, in consequence of my orders, and shipped
 the other parts; but Mr. McArthur, not being satisfied, called
 Naval Officer's clerk before a Bench of Magistrates (the minutes
 hich are inclosed)* and on which I regret being obliged to
 r, by his speech, the inimicability of his mind to Government.†
 nder this head of procuring spirits, whereby a few individuals
 ld be enriched, it is necessary, sir, you should be informed that
 Mr. Blaxlands have indiscreetly wrote to me requesting to
 blish a distillery, and that they would make a part of a com-
 y with any friends I might wish to intimate.
 he nature of my despatches has at this time extended them
 ond what will in general be the case; but I hope, sir, as they
 reduced to as small a compass as possible, consistent with your
 ctions that I should inform you fully on the state of the colony,
 re will be found nothing said unnecessarily. I shall only repeat
 t it is allowed to be in a very improved state, and the in-
 itants contented, except a very few who have been in the habit
 urning every thing to their own interest, and have not the full
 e allowed them in gratifying their inclinations, particularly in
 barter of spirits, at which the whole country besides are glad
 be extreme.

1807

31 Oct.

Macarthur
 and the
 stills.

The
 Blaxlands.

Bligh's
 despatches.

I have, &c.,

W'M BLIGH.

[Enclosure.]

ERNOR Bligh's Regulations, until orders to the contrary, in the distri-
 bution of cattle and servants to persons who come out to New South
 Wales by order of the Secretary of State, without any specific quantity
 being mentioned.

ital. Acres.

- | | | | |
|-----|-------------|--|---|
| 00. | 50 to 100. | Two cows, two oxen, two ewes, one sow (to be paid for).
To be allowed two men, victualled from the store and clothed for twelve months (as p'r Order of Lord Hobart, dated 24th February, 1803), with themselves and families; also, to take as many men off the store at their own expence, and to purchase such stock as Government can conveniently spare. | Land and live stock allowed to free settlers in proportion to the capital employed. |
| 10. | 100 to 300. | Four cows, four oxen, four ewes, one sow (to be paid for).
To be allowed three men, victualled, &c., and other privileges, as above. | |

ite, p. 332 et seq.

† Compare the copy of this paragraph given on p. 483, post.

1837	Capital.	Acres.		
31 Oct.	£500.	300 to	500.	Five cows, three oxen, six sheep (to be paid for). To be allowed four men victuals and other privileges, as above.
	£700.	500 to	700.	Six cows, four oxen, eight sheep (to be paid for). To be allowed five men, victuals and other privileges, as above.
	£1,000.	700 to	1,000.	Eight cows, four oxen, ten sheep (to be paid for). To be allowed six men, victuals and other privileges, as above.
	£2,000.	1,000 to	2,000.	Ten cows, four oxen, twelve sheep (to be paid for). To be allowed seven men, victuals and other privileges, as above.
	£3,000.	2,000 to	3,000.	One bull, twelve cows, four oxen, one sow (to be paid for). To be allowed ten men, victuals and other privileges, as above.
	£4,000.	3,000 to	4,000.	One bull, fourteen cows, four oxen, one sow (to be paid for). To be allowed thirteen men, victuals and other privileges, as above.
	£5,000.	4,000 to	5,000.	One bull, eighteen cows, four oxen, eighteen ewes, one sow (to be paid for). To be allowed seventeen men, victuals and other privileges, as above.
	£6,000.	5,000 to	6,000.	One bull, twenty cows, six oxen, twenty ewes, one sow (to be paid for). To be allowed twenty men, victuals and other privileges, as above.

GOVERNOR BLIGH TO THE RIGHT HON. VICE-CHANCELLOR OF THE EXCHEQUER

[Extracts.]

Government House, Sydney, New South Wales

Sir, 31st Decr 1825

I have the honor to acknowledge the receipt of your despatches of the numbers and dates as stated in the margin.

Land grant and live stock to J. Blaxland.

I felt the strongest desire to comply with your request respecting Mr. John Blaxland. He has received from Government 100 acres of land, sixty cows, one bull, thirty ewes, with twenty men, the proportion of stock directed to be allotted to him for the stock to be made by instalments in kind. The quantity of land I have ordered to be measured for him, and it is to be hoped that, with these great advantages, his mind to agricultural pursuits, as well as the encouragement without which the colony will be but very partially benefited.

Live stock of Gregory Blaxland.

Mr. Gregory Blaxland having arrived at Sydney, his brother, received from Governor King two hundred and fifty sheep, and a bull.

* The margin is blank.

voter

egu

4 59

even: Freeman



Twenty-five cows, which induced me to grant the great portion
 re stated, as it far exceeds, but under that circumstance, what
 considered should have been the case. 1807 31 Oct.

Mr. Bell has received five hundred acres of land, four cows, and
 three oxen, with other indulgencies, as a settler. Mr. Bell.

On the discharge of M. Huon de Kerillac from the New South
 Wales Corps, I gave directions for his receiving one hundred acres
 land and the usual advantages. M. Kerillac.

The other settlers who came by the late ships have received the
 advantages they were to expect and will have every protection. Other
 settlers.

Before I left England it was understood that no person was to
 come out to live here without express permission; but in the late
 years several persons arrived with no other than orders from the
 Transport Office to the masters of the ships for their being
 stowed during the passage. Miscellaneous
 immigration.

The convicts by the Duke of Portland and Sydney Cove arrived
 well as could be expected, and have been allotted to the different
 settlers, to the general advantage of the agricultural parts of the
 colony. Only a few deaths took place in the course of the voyage. Convicts.

It is now my duty to reply to your letter respecting the evacua-
 tion of Norfolk Island,* and to show my readiness to comply with
 the directions therein contained. Norfolk
 Island.

The first step that appeared necessary was to communicate with
 the Commandant of that place, and, therefore, the moment the
 Lady Nelson, armed tender, could be got ready, which was on the
 10th of last month, she was despatched with instructions to Captain
 Piper on the subject, of which the inclosed is a copy,† together
 with a copy of the directions I had received. She returned here
 on the 7th instant, and went again to Norfolk Island on the 16th
 to forward the intended evacuation, on the subject of which I have
 the satisfaction to state that the settlers displayed great willing-
 ness, but only two of them have offered to go to Port Dalrymple. Evacuation
 of the
 island.

Lieutenant-Governors Collins and Paterson are apprized of what
 to be done.

It is to be regretted that our means are but small to accomplish
 this object, having only the Porpoise, besides two trifling vessels,
 the Lady Nelson and Estramina. A smaller vessel, called the
 resource,‡ is employed between this and Coal River, and only fit
 for that purpose. Shipping.

The country is bare of agricultural implements, and we have very
 few artificers.

In replying, sir, to that part of your letter No. 7,§ respecting
 the information which was to be expected from me connected Official
 correspondence.

See Windham to Bligh, 30th December, 1806, ante, p. 224 *et seq.*; and also Castlereagh
 to Bligh, 31st December, 1807, post, p. 401. † Ante, p. 283.

A small vessel of 26 tons, built at Wreck Reef during Flinders's absence. She was about
 same size as the Cumberland, in which he essayed the voyage to England.

That is the letter of 30th December, 1806, ante, p. 229.

1807 with Governor King's despatches, I beg leave to observe that
 31 Oct. only extracts of particular parts of them are in my possession, [I
 hope my General Letter* of the 7th February, 1807, by the *Buffalo*,
 will have conveyed the information required. Such farther
 observations as I have been enabled to make and feel necessary to
 communicate are contained in my General Letter of this date.

* * * * *

In regard to Colonel Collins's complaint of the distresses he had
 felt, everything has been done on my part to remove them.

Supplies
 sent to the
 Derwent

The following month after I arrived, 12,448 lb. of beef, 82,716
 lb. of pork, 1,000 lb. of sugar, with a supply of articles for barter,
 slop clothing, and hospital necessaries were sent to the *Derwent*,
 and on the 2nd of March last a supply of grain was sent by the
 Colonial schooner, *Estramina*.

* * * * *

Previous to the *Estramina's* departure from thence the *Duchess*
 of York arrived from India with an ample supply of rice. On the
 14th of April a supply of 38,160 lb. of pork was sent by the
Elizabeth (whaler), and His Majesty's ship *Porpoise* sailed from
 this on the 10th instant for the *Derwent* having on board 63,616
 lb. of beef, 24,168 lb. of pork, a quantity of maize, and a further
 supply of stores, by which the *Derwent* is now on a par with Port
 Jackson in respect to salt provisions.

and Port
 Dalrymple.

The *Estramina* sailed on the same day for Port Dalrymple with
 as much provisions as she could take, and the Lieutenant-Governor
 being now in possession of our plans of what is to be done, every
 thing is in a fair way of succeeding.

I have likewise informed Lieutenant-Governors Collins and
 Paterson they must be cautious in sanctioning demands until they
 have fully considered them, and are convinced of the absolute
 necessity of such being made, which no doubt will be strictly
 attended to.

I have, &c.,

W^M BLIGH

GOVERNOR BLIGH TO THE RIGHT HON. W. WINDHAM.

Government House, Sydney, New South Wales,

Sir,

31st October, 1807.

D'Arcy
 Wentworth.

The extreme misconduct of Mr. Darcy Wentworth, one of
 the assistant surgeons, in applying convicts to private labour whom
 he received into the hospital at Parramatta as sick men, rendered
 it absolutely necessary for me to suspend him from his situation, on
 the 25th of July last, until His Majesty's pleasure is known thereon.

Enclosures.

I herewith transmit the depositions of a Mr. Francis Oakes
 Chief Constable at Parramatta, and John Beldon, an overseer
 both free men, of what has recently been done.

Instead of the hospital being an assylum for sick men, and
 soon as they recovered to be returned to Government labour, (

* Ante, p. 246.

the poor settlers from whom they came, it has been a practice
 allow them to remain victualled as hospital patients requiring
 and, applying their use to private advantage.
 in my journeys through the country the settlers have stated to
 in affecting terms, that the men allowed them by Government
 instantly framed excuses and got into the hospital; that after
 sending them for fourteen days (at the expiration of which time
 the expence of victualling falls on Government), conformable to
 the Regulation, they have not been returned to them upon recovery,
 by which a heavy loss was sustained on their part, besides being
 worn out with fatigue in endeavouring to cultivate their ground
 for support—and which appears to me to have been the case.*

I have, &c.,
 W^M BLIGH.

[Enclosure.]

Sydney, New South Wales, 23rd July, 1807.

QUESTIONS put to Mr. Francis Oakes, Chief Constable at Parramatta, with
 his answers thereto, respecting the conduct of Mr. D'Arcy Wentworth,
 Assistant Surgeon, and sworn to before the Judge-Advocate:—

Q. About the 1st of July instant did you receive an order from the Governor to take J—— M——, L—— K——, T—— S——, and M—— D——, four Government men who were said to be employed at Mr. Wentworth's (Assistant Surgeon to the hospital) farm on his own account without permission?—A. Yes.

Men ordered
to public
labour.

Q. Did you find those men as reported?—A. Yes; and sent them to Castle Hill, because the men were working for Mr. Wentworth, and I thought they were as capable of working for Government.

Q. Did you ascertain how long these men had been working out of the hospital at Mr. Wentworth's farm on his own private account?—A. Yes; J—— M——, able man, sixteen weeks; L—— K——, four weeks; T—— S——, six months; M—— D——, ten days.

Employed
by
Wentworth.

Q. Did you find any other men?—A. Yes; J—— G——, working at Mr. Wentworth's garden; and I, therefore, sent him with the others to work for Government.

Q. Did you observe whether either of these men were too infirm, and improper persons to be kept at labour?—A. J—— G—— seemed to limp a little, but the others seemed able, and particularly J—— M——, who was a stout man, and fit for any work. M—— D—— had a cut hand, but it was nearly well, and he was fit to work for Government.

Conval-
escent

Q. Is the garden sufficient to give the patients supplies if duly worked and taken care of?—A. I think it is.

Q. Does not the Government allow two able men to look after it and work it?—A. Yes.

Q. Do you know that these men are frequently taken away from it and worked at Mr. Wentworth's garden?—A. Yes; repeatedly. I see them there half their time. They have worked a great deal there. At any rate, they work very little in the hospital garden; I don't believe they work more than a day in the week there.

working for
the doctor.

* After Bligh was arrested and his papers seized, a copy of this despatch was found amongst them. Major Johnston ordered a Court-Martial at the request of Wentworth, a report of which will be found on p. 522, post.

† According to the evidence given at the trial of Wentworth in February, 1808 (post, 524 et seq.), the employment of convalescent hospital patients by the Medical Staff on their private account was general and recognised.

1807

31 Oct.

Alleged
abuses at the
hospital.

Q. Do you know of any improper conduct in the management of the persons who have been received into the hospital besides what you have related?—A. Yes. I have known of men who were patients in the hospital being let out, and going about Parramatta and the country doing mischief, and have been punished and sent to Castle Hill. Many men have been taken by Wentworth to his farm and farmhouse for different purposes ever since he came from Norfolk Island, and he changed them more or less as he found it convenient. Mr. Wentworth lately discharged F—— H——, after having him four or five months in his private employ, while he was deemed a patient for a sore thumb, and took D—— (one of the four) in his place. The hospital, in regard to patients being taken out and in, and employed to private labour, has been well known for a length of time. Many of them have been taken before the magistrates and punished, and returned to Castle Hill from the hospital.

Q. Have you known labouring men leave their masters (settlers) and, declaring themselves sick, have been received into the hospital, and after the poor settler has fed them a fortnight he lost his man by their being permitted to work for private purposes?—A. Yes.

Q. What are become of the five men you found with Mr. Wentworth employed in his private purposes?—A. J—— M—— and M—— D—— are at public labour; S—— is in the hospital; K—— and G—— are out-patients.

Blackmail-
ing hospital
patients.

Q. Have you not heard that money was given to remain in the hospital?—A. Yes; there is one W—— there, who is a prisoner, but acts in delivering the medicines, and has great controul; he has certainly received money to keep the patients there to avoid Government labour. About three weeks ago J—— N—— applied to me for a pass to go to the Head Surgeon to see if he could get into the Sydney Hospital, for he had been turned out of the Parramatta Hospital by W——, because he could not give him £2 which W—— demanded of him.

Q. What did you conceive the £2 to be given to W—— for?—A. To be permitted to remain as an hospital patient as long as he liked, so as to be freed from Government labour, and I believe there has been a great deal of this work. As also that this W—— practises for himself among the poor people, and as he cannot procure medicines himself, the medicines of Government are likely to be used for his private purposes.

Q. Did you ever receive any order from His Excellency the Governor to take men out of the hospital?—A. No, never. The men I took were employed to Mr. Wentworth's own purposes.

Employ-
ment of con-
valescents.

Q. How were the men you took from Mr. Wentworth's farm employed?—A. T—— S——, employed in charge of the farmhouse; M—— D——, as a stockman at the farm for the horses; J—— M—— as a stockman for the cows; L—— K——, servant in the house; and J—— G—— working in Mr. Wentworth's private garden.

Sworn before me this 23rd July, 1807.

FRANCIS OAKES.

RICH'D. ATKINS, J.-A.

Corroborative
testimony.

George Beldon, the Overseer of the Gangs at Parramatta, having read to him by the Judge-Advocate the questions as put to Mr. Francis Oakes, the Chief Constable at that place, with his answers thereto, he positively swears that they are true, and within his certain knowledge, he having been at the time the active person with the said Chief Constable in the inquiries made therein.*

Sworn before me this 23rd July, 1807,

GEORGE BELDON.

RICH'D. ATKINS, J.-A.

* Compare this man's evidence, given at the Court-Martial on Wentworth, held at the direction of Lieutenant-Colonel Johnston, in February, 1808 (post, p. 524), from which it appears that he could not read, and that the paper was given him to sign some two months after he had been examined *in camera*.

WILLIAM GORE TO VISCOUNT CASTLEREAGH.*

1807

Sydney, New South Wales,

My Lord,

31st October, 1807.

31 Oct.

Having obtained the Commission I have the honor to hold under the auspices of your Lordship, and through the recommendation of my honored and esteemed friend and patron, the Earl of Harrington, I consider it my duty to acquaint your Lordship with such circumstances as may from time to time fall within my knowledge respecting the state of His Majesty's settlements in this country, and of the general condition and sentiments of the individuals who compose the community in New South Wales. On the climate, I shall but barely remark it is highly salutary and congenial to the uniform good health of the British constitution. We arrived in Port Jackson on the morning of the 6th of August, 1806, and Governor Bligh assumed the administration of the country on the ensuing 12th, a day which the well and industriously disposed inhabitants of this country hail with joy and gratitude. To the subject he has restored the full and complete possession of his civil rights; the effects of a dreadful famine which then desolated the land are no longer felt; and the torture he has abolished. You will, my Lord, here exclaim that the torture has nowhere existed in the British dominions; but the melancholy fact speaks for itself, and be assured, my Lord, that torture was the order of the day in this country until it was suppressed by the humanity of the present Governor. Previous to his arrival, confession of offences and crimination were extracted from the unfortunate and generally the innocent victim by the severest floggings, and even by deprivation of liberty itself. Until now the complaints of the oppressed were unavailing. The unhappy convict labored incessantly for the exclusive benefit and advantage of an imperious task-master, who dared, under the mask of doing his duty, to dispute and then to share the Governor's authority. Governor Bligh found the town of Sydney, which is destined to be the future capital of this fine country, sinking into decay; the public buildings and store-houses in a state of dilapidation; a bridge, which cost Government immense labour and expense in the erection of it, fallen to pieces before it was passable. The church, from the slow progress made in building it, strongly indicated to the stranger that religion and morality were indeed at a very low ebb in Sydney, and denoted that little regard or attention was hitherto manifested towards the external forms of the Christian religion or decorum. However, in the short space of one year and two months, the country in general, and Sydney in particular, have

Gore and his patron.

The climate.

Bligh assumes the Government.

Alleged abuses under King.

State of the colony on Bligh's arrival.

* The letters of Provost-Marshal Gore are printed for what they are worth. Many of the leading residents of the colony gave him a very bad character; but party feeling ran so high that it is difficult to discriminate between the aversion caused by vicious practices and the antagonism which was merely the outcome of faction and conflicting interests.

1807
31 Oct.
Wonders
worked by
Bligh,

in spite of
strenuous
opposition.

Bligh's
opponents.

Military
officers
engage in
business.

Details of
trade.

acquired a very different appearance. Confidence is restored ; the public buildings that are not already finished are advanced near their completion ; the Christian religion is respected and its ceremonies observed ; libertinism and incontinence are checked ; matrimony is encouraged ; and the meritorious and honest settler is protected in his property and rewarded for his industry. Abuses of a date coeval with the establishment of the British settlements in New Holland have been corrected by the determined but temperate administration of Governor Bligh. You are not, however, my Lord, to imagine that they yielded an easy victory to benevolent efforts. No such thing ! The ground was steadily disputed. With the utmost regret and reluctance they have quitted the field, and whenever opportunity offers they return and cling with the most sympathetic pertinacity to the shadow of the arrogated but flitting power. Their opposition to the measures of Government, tho' secret, was firmly compacted, and consequently more difficult to be combated ; but the energy of Governor Bligh has seen into their motives, and has enabled him to frustrate their intentions. To me, my Lord, it certainly appeared a strange and most unaccountable circumstance, and in all respect contrary to what I expected, that persons ranking in this country as gentlemen have, from a spirit of opposition, called in the aid of the most depraved characters*—men who are indebted for their very lives to the lenient laws of the parent country—to abet and second their factious machinations against the existing Government. So flagrant and notorious has been the conduct of two gentlemen who were magistrates here that His Excellency, from a sense of justice to himself and duty to the public, has been compelled to deprive them of their commissions as Justices of the Peace.†

It will, I make no doubt, my Lord, excite your surprise when you are informed that almost every military officer on this establishment indirectly traffics and deals through the medium of a convict woman, who has been adopted as the confidential agent and partner of that extraordinary personage, a trading military officer. It is not for me, my Lord, to animadvert on the degraded and humiliating point of view in which it places the latter ; but surely it is repugnant to the high spirit and sense of honor which animates the officers of the British Army to encourage and sanction such a traffic, and afterwards to avail themselves of the profits gleaned by their disreputable female agent, from the retail in the houses of sixpenny worth of tobacco, of a quarter of a pound of soap, or of any other articles necessary to human consumption. But, my Lord, the source from which they derive their great emoluments (and in which even at present they carry on a secret

* This taunt, that the aid of convicts had been enlisted, was freely used by both Governor Bligh and Governor Macquarie. Bligh was certainly not blameless in this respect.

† Doubtless Gore refers to Jamison and Harris.

was the barter of spirits. A traffic more atrocious and
 orable in itself cannot be conceived. For instance, my
 a gallon of spirits that has been issued from Government
 at 8s., 10s., and 15s. has afterwards been retailed to the
 ous mechanic and labourer, or to the unfortunate convict,
 rate of £6 and £10 per gallon. Thus have the independence
 orality of all descriptions of persons been exposed to almost
 ountable temptation and to ruin. To Governor Bligh are
 esent generation of Europeans in New South Wales and
 osterity indebted for the extinction of this baneful and
 al traffic, and from hence has proceeded in a great degree
 stematic opposition evinced by a pitiful and discontented
 o his most salutary measures. It is, my Lord, an observa-
 ommon in the mouths of all dispassionate men here "that
 e government of this country been administered for the last
 en years by gentlemen who possessed equal abilities and
 ted as sincere and tender concern for the public weal as the
 t Governor has evinced, that His Majesty's settlement in
 olland would now rival India in prosperity." That they
 in every respect surpass what Governor Bligh found here
 not hesitate to say; neither do I conceive that with his best
 ns he can restore it at his departure to the state of pros-
 and advancement his predecessor should have left it in. Of
 owever, I am perfectly satisfied, that he is doing all that lays
 power for the general good and advantage. For the short
 e has been here he has effected a greater and more beneficial
 : than could possibly be expected—nay, indeed, it is scarcely
 e. May all his efforts in the good cause in which he is
 d be successful, as they avowedly tend to the honor of his
 ign, to the well-being of the country over which he presides,
 the credit and humanity of his own heart.

em it a duty which I owe to your Lordship and myself to
 ather minutely into a relation of such events as are more
 larly attached to myself since my arrival in this country.
 , my Lord, been customary for a set of men—respectable
 om the situations they hold under Government—to arrogate
 selves the entire authority of all such officers as arrive here
 ent to them, and to hold them forward to the public as
 ere instruments, and to treat them accordingly with the
 idcent and barefaced contempt. Thus had they attempted
 : me on my first arrival amongst them. In the just discharge
 luty I was certain of being thwarted and insulted nine times
 en; but finding that I still persisted in that line of conduct
 common sense, and which truly common honesty dictated
 they dexterously changed their plan of operations and in-
 ly endeavoured to draw me into the opposition they meditated
 the Governor. Finding, however, their attempts ineffectual,

1807

21 Oct.

Extortionate
charges.

Reforms
under Bligh.

A rival to
India.

An
incredible
improve-
ment.

Gore and the
officers.

Thwarted
and insulted.

1807 they resolved, by a desperate and base exertion of that influence
 31 Oct. which a long residence in the country had given them, to over-
 whelm me in disgrace ; and whilst they, dastard like, took post in
the back ground, they pushed forward a pack of men (whose
characters for infamy need no other comment of mine than to state
A trumped-up charge. that they arrived here as convicts, and that they have since their
transportation been convicted of, and punished for, various crimes
and offences committed by them) to charge me with the commission
of a misdemeanor and of an act of felony, on both of which, not-
withstanding the sanguine expectations of my infamous accusers,
I was tried and most honorably acquitted. But I humbly submit
to your Lordship's consideration the extreme anxiety I endured
from my having been obliged to appear in open Court as a common
A foul conspiracy. culprit, my character in jeopardy, and forced to defend myself
against as foul a conspiracy as was ever contrived by the wicked-
ness of man. Your Lordship may probably say that, conscious of
my innocence, I had no danger to apprehend. True, my Lord ; but
still the uneasiness of mind that I and my family underwent, and
the ignominy to which I was exposed, are impossible for me to
describe—persuaded, nevertheless, that should they have succeeded
by perjury to have had me convicted, the justice and integrity of
Governor Bligh would have finally interposed and rescued me from
the ruin they had in contemplation against me. Nothing could,
however, compensate me for the risk and danger in which I was
involved. I ought not to omit mentioning to your Lordship that
one of my accusers was the keeper of Sydney Gaol, a fellow of
the most brutal manners and profligate habits, and who, notwith-
standing his having held a situation immediately under me as
Provost-Marshal of this territory, I could never restrain from
Gore accused by the gaoler. comitting some act of cruelty and oppression upon the prisoners
that were committed to his custody. He therefore, on my repeated
threats of dismissing him for his improper conduct, excited the
woman with whom he cohabited to prefer a charge of felony
The trial. against me. The day of trial came on, and base as the woman
had been to alledge such an accusation against me before the
magistrates, she, however, relented, and under pretence of being
taken in the pains of labor, she would not appear at the trial.
Two medical gentlemen appeared in Court ready to make affi-
davit to the fact of the woman being in labour, and did really
Absence of a material witness. certify by a written document to that effect, altho' the woman
was not confined for better than three weeks after. Mr. Jamison,
the Principal Surgeon (and one of the justices deprived of the
commission of the peace by Governor Bligh) was one of the persons
who subscribed the certificate, and was ready in Court to attest
on oath that the midwife was left in attendance on her. So
much, my Lord, for the probity of the Principal Surgeon of New
South Wales.

Your Lordship will hardly believe that the officer who commands the New South Wales Corps had directed, in nearly peremptory terms, his officers to find me guilty; and that a captain of the same Corps had expressed himself to the same effect. Both of those gentlemen are justices of the peace, and I lament to add that the great distance I am from England debars me an opportunity of bringing them before the Court of King's Bench.

1807
31 Oct.
—
Charge
against two
officers.

I need not, I trust, repeat to your Lordship the shame I should take to myself was my conduct in the least criminal during the period I have been in office here, and assuredly, my Lord, I must strangely have forgot myself if, after a service of fourteen years as a commissioned officer in the Army, and having in view at all times the recommendation of the Earl of Harrington—the intimate friend and acquaintance of the family from which I am descended—I would have stooped to involve my wife, my children, and myself in disgrace. Besides, my Lord, the emoluments arising from my appointment are too considerable to admit of a belief that so serious a charge against me was founded in fact; but I beg leave to refer your Lordship to His Excellency the Governor for a statement of my conduct, as the ministerial officer of the Crown in this territory, since I undertook the duties of Provost-Marshal; and I am happy in hoping that I have merited his good opinion.

Gore
protests his
innocence.

Before I conclude my letter I shall take the liberty of acquainting your Lordship that a few individuals here, who have realized an independence, and who probably are indebted to the forbearance of the Executive power for their lives, are the most troublesome members of society. Continually at variance with their more peaceable neighbours, and intolerably restless, they apply their wealth to the worst of purposes—to perpetual litigation, to awaken distrust in the breasts of their fellows, and to sow the seeds of discontent against the existing Government. No matter what may be its character or complexion, whether mild or tyrannical, vigorous or relaxed, such men are difficult to be dealt with agreeable to their deserts. It was a fellow of this description, of the name of U—who brought a charge against me of having defrauded him of the sum of fifteen shillings—a charge contrived and matured by him and his associates for the express purpose of depriving me of my situation and of reducing me to their own level. As usual, they had their abettors amongst a distinct class, who dared not, however, avow themselves, but, coward like, stabbed in the dark. It is to be feared, my Lord, that the officers who originally came out here on the establishment of the settlement had been too long estranged from European customs and manners readily to relinquish the ideas and connexions they have adopted; from whence we perceive the facility with which men (who whilst they continue to live in England abhor and detest the practice) devote themselves to some object of their illicit choice, and, in defiance of virtue, pay

Wealthy
ex-convicts.

A second
charge
against
Gore.

1807
 31 Oct.
 Morals of
 the town.
 Free
 settlers.
 The
 Blaxlands.
 Stock
 breeding.
 Neglect of
 agriculture.

greater attention to and entertain an equal respect for the court-
 ezan, that under different circumstances they would shew for the
 married female. Here it is a common sight to see the mistress,
 or kept lady, driven on the military parade in front of the barrack,
 when the married mother of an amiable family is obliged to remain
 unnoticed and unthought of at home except by her immediate
 family and the present Governor, who has uniformly shewn his
 dislike of such connexions, and is at all times marked in his at-
 tentions to the ladies of the married officers and gentlemen of the
 colony. Pardon, my Lord, I beseech you, the very long letter I
 write to you, and impute the trespass I commit to the desire that
 your Lordship should possess every possible information respecting
 this colony. I imagine that His Majesty's Ministers permit
 creditable persons to embark as settlers for this country, giving
 them certain indulgences, and stipulating with them the conditions
 on which they receive such indulgences. I am now, my Lord,
 nearly fifteen months in this territory, and from the avocations
 incident to my appointment few persons in it have so good an
 opportunity of ascertaining the advantages, if any, that accrue to it
 from the residence of such men amongst those who, no doubt, have
 promised largely, but who have performed little, and seem inclined
 to do still less. I regret that I am obliged to enumerate two
 settlers of the name of Blaxland. They have already obtained, I
 understand by order of Government, grants of extensive tracts of
 land, with the addition of a numerous herd of cattle, &c., the con-
 sequence of which has been that the elder Blaxland* has dis-
 continued the cultivation of his land and come into Sydney to
 reside, where he has established a dairy, and daily retails his milk
 at one shilling per quart to the inhabitants. He has likewise
 commenced business as a butcher, and is erecting salt-works; and
 except for the latter purpose, I am told that neither of the brothers
 (who are in partnership with each other) have cleared such a track
 of ground as would remunerate Government for the most trivial
 indulgence extended to them. Indeed, my Lord, it is, in my
 humble opinion, an unquestionable fact that where stock in any
 considerable quantity has been given to individual settlers the
 consequence has been extremely prejudicial to the public, for such
 stock is forestalled by the owner, who, as it may best suit his own
 interests, never sends a beast to market except he has it in his sole
 power to dispose of it at his own price; whereas, if stock was more
 widely extended, the market would be better and more regularly
 supplied, and the terms comparatively moderate to the consumer.
 Besides, my Lord, the great mischief from having put so large a
 stock at the disposal of those gentlemen immediately on their
 arrival amongst us arises from their indifference, or rather their
 total dereliction of agriculture. The benefits of cultivation, tho'
 slow, are, however, certain; but the advantages arising from the

* John Blaxland.

on of stock are rapid beyond calculation in this country, equally certain, an indubitable proof of which is that the people of whom I speak are at this time in the daily receipt of £3 from the sale of milk alone, which the cattle they buy from Government and a few others they purchased here. In an infant country the cultivation of the ground must be specially attended to, as its future population and prosperity greatly depends on the productions it may hereafter send to the parent state in return for the articles imported and consumed by her. The climate of this country is delightful beyond comparison, and the soil in such a climate when attended to is not only productive and fertile. Vegetation, if ever, seldom fails notwithstanding which, the various passions and interests absorb the minds of men in the pursuit of their own aggrandisement, I am conscious, most seriously retard the advancement and prosperity of this country.

1807
31 Oct.

The climate
and soil.

Now, my Lord, almost forgotten to mention to your Lordship the present Judge-Advocate of this territory is not properly a lawyer or barrister, from which great inconvenience frequently arises to the community at large, often to myself ministerial officer of the Crown, and particularly to His Majesty the Governor, who in legal cases naturally recurs to his opinion. The Judge-Advocate of this territory, I presume to say, should have a professional education; he must be a man of the strictest probity and independance. To demand a competent salary ought to be given. His character must be without stain and unblemished; venality and corruption must be peculiarly abhorrent to his principles; sobriety and a plain demeanour ought to be leading features in his private and public character. Such a man, no doubt, could be found in England and God knows, my Lord, he would be considered by all good and upright subjects here a most invaluable acquisition. I will now, my Lord, finish a letter which when I commenced I had in view of prolonging to so tedious a length, and I beg your pardon for sending it on your Lordship's notice; but as my motive for writing is founded on duty and gratitude, I beg leave to plead my apology.

The Judge-
Advocate.

The
essentials of
a good
Judge.

I have, &c.,

W^M GORE.

APPOINTMENT OF CAPTAIN PIPER TO THE RIGHT HON. W. WINDHAM.

[Extracts.]

Norfolk Island, 5th November, 1807.

5 Nov.

His Excellency Governor Bligh having forwarded a copy of a despatch of the 30th December, 1806,* and a plan of the evacuation of Norfolk Island having been formed for carrying into effect His Majesty's

Evacuation
of Norfolk
Island.

* See also Bligh to Piper, 4th September, 1807, ante, p. 283.

and I beg leave to assure you that no exertion on my part
be wanting to carry into effect this important object with
facility and expedition that is possible, and in every point
able to the tenor of the instructions I have received on this
* * * * *

I have, &c.,

JOHN B.

GOVERNOR BLIGH TO SIR JOSEPH BANKS. (Banks Papers)
[Extracts.]

Government House, Sydney,

Dear Sir,

5th November,

Banks's
advice to
Bligh.

Conduct of
business at
Government
House.

I have much pleasure in writing to you by this conveyance
as I think it is a safe one, and to acknowledge that Dr. Telford
has delivered to me your favour of the 21st December.*
I thank you very much for your disinterested advice and have
acted on them on all occasions; but you can form no idea of the
persons here who consider themselves gentlemen. The colony
has been in a distracted state, and this, I am sorry to
say, has been caused by the want of proper dignity at Government
House where every person was admitted, and the Governor irritates
conversations and troubled with letters of complaint which
he should have refused to listen to. The liberty which
was taken was irksome. If a request made was not complied with
altercation took place and ill-will followed. Farther steps
were then made to gain the object, and at last the Governor
succeeding, he was turned into ridicule, while the parties then
became envious of each other. Government has been intimately
connected with society, and a few individuals, such as
or three, have been by that means able to disturb it.
It is difficult not suddenly to be got the better of. The difficulty
will always be at work until they find they are defeated
and visible resistance

I am extremely sensible of the advantages which will ensue by reputable persons coming out as settlers ; and altho' I hope we shall have a number, yet I cannot help telling you we have felt much disappointment in the Blaxlands. When they arrived (from Sir Joseph's recommendation) I had them every day with us and gave a public dinner to introduce Mrs. Blaxland to all the ladies of the colony. He came out immersed in mercantile pursuits.*

1807
5 Nov.
—
Free settlers.
The Blaxlands.

You will, I am certain, believe when I tell you, that Doctor Townson received a hearty welcome from me. It, however, has so happened that he brought me no order from the Secretary of State to locate to him any land or grant him any indulgences. He brought a letter from Sir George Shee, stating it was the Minister's intentions so to do, and that I should have directions thereon ; but no such document has reached me. As I could not do without orders, I assumed an authority on Sir George Shee's letter, and informed Dr. Townson he should be put in possession of land to the amount of two thousand acres whenever he would write out to me he had chosen the place ; and as soon as my orders arrived I would give him the customary grant, and that he need not be under any doubt of Government's agreement being fulfilled. This gave him very great offence, and I am sorry to say has caused him to speak indiscreetly on the subject, notwithstanding I offered him cattle and other indulgencies settlers receive, on the terms specified by the Secretary of State, which he has not yet determined on until he sees the out-settlements, whither he is now gone in the Porpoise. He brought a considerable investment with him, which was sold at public and private sale at an immense profit. No man seemed to know his concerns better, and entertained the public with his presence, where he would not suffer anything to fall to the hammer but with his approval. Such was the scarcity that five and six hundred per cent. was given for the different articles he brought out. The books and apparatus he brought were lodged with the Commissary, and are at his use whenever he pleases to call for them. Many can be of no general benefit here, as they are written in the German tongue ; had they been otherwise, some advantage might have been derived from them. The object with me will be to promote his scientific pursuits whenever he may please to consult me thereon. In his private concerns it is only my duty to protect him, which I thank God every man in himself seems confident of while his pursuits are chaste and honorable.†

Dr. Townson.
His land grant.
His investments.
Books and instruments.

I have written as concise an account of this colony to Government as could well be done, and I hope it will be read and due inferences drawn from it.‡ Every sentence which may appear to require some elucidation it may be deduced from opposite principles

Bligh's report on the colony.

See Blaxland's letter, ante, p. 308 et seq. † See Townson to the Right Hon. W. Windham, ante, p. 299. ‡ See Bligh to Windham, 31st October, 1807, ante, p. 349.

1807

5 Nov.

acted upon. What I wish them to understand is that in this remote settlement must act according to circumstances. If they send orders they may be assured I act up to them. If nothing is left to my own will, I trust it will not be so. I feel very much for the expence this colony is to me, but I do not reduce whatever it is considered to be, the end will amply repay it. At present everything seems to prosper. Our harvest promises well, and I hope, with a few supplies of salt provisions, we shall be able to last the winter, barring unforeseen accidents. Our rebellious subjects are present, and to keep them so I have divided the land. They cannot unite without our knowing it in time.

An onerous position.

The arduousness of my situation is more than can be described. Magisterial, Civil, and Criminal Courts all with me in decision, besides all concerns of Government, works and issues of stores and distribution of commodities. Nothing can be trusted to be done but under the Government.

Evacuation of Norfolk Island.

To add to my labour, I have now Norfolk Island. I have begun on this business, and hope to complete it to satisfaction. Mr. Humphrey* is at present at the Depot, and to return hither as soon as he has accomplished his journey. I am under any promise to send things to you, or what claim I have on him? He appeared a clever young man; but I find to find bills to a large amount which he drew are not tested, and I fear may be the cause of depriving him of his money.

Captain and Mrs. Putland.

My daughter and her husband have been a great treasure to me; but alas, we are now in great distress on his dissolution every day from a consumption.

Adieu, my dear sir.

I remain

I have sent you two small bottles of warrataw seeds.

THE REV. SAMUEL MARSDEN TO UNDER-SECRETARY

21 Nov.

Sir, Norfolk-street, Strand, 21st Nov.

Morality and religion in New South Wales.

Permit me to request your kind attention to my observations on the moral and religious state of the colony of New South Wales. To introduce this subject it may be said that no parent state, ancient or modern, have ever borne so great a bearing similarity to this. In remoteness and in the character of the settlers, it differs widely from any other colony of the date. Out of rude but unshaken virtue and manly greatness and prosperity of the ancient colonies and the British colony of New South Wales it is to be lamented that from its commencement to the present time there has scarcely been a germ of virtue on which to build a hope of the good changing for the better. The depravity and vice

Materials for building a nation.

* The mineralogist.

From me, it however
brought me no order
to locate to him any
He brought a letter from
It was the Minister's
I should have direction
ment has reached me
order, I assumed an
letter, and informed
a possession of land
every whenever he would
had chosen the place
arrived I would give
that he need not be in
agreement being fulfilled
great offence, and I
him to speak endorsing
ing I offered him to be
.....

has happened, that
 from the Secretary of
 Land, or, ^{must be} any indulgence
 on Sir George's side still
 intentions so to do, and
 is thereon, but no more.

As I could not act
 authority on Sir George
 "Townson he should be,
 to the amount of two.

Do point out to me
 , and as soon as my
 him the customary
 under any doubt of your
 led. This fine time
 am sorry to say, has co
 thy on the subject, notw
 ire cattle and other
 Mr. Townson should be

I hope it will be read
it. Every sentence who
consideration it may be de-
acted upon. What I see
the Governor in this re-
to circumstances - by the
fact up to them - if any
I trust it will not be so
the expense this labor
reduce it whatever it is
after will amply repa-
seems to be propitiation
and I hope with a few
salt provisions we so
barring enforced are
are quiet at present,
them so as they can
it in time. -

The order
that ^{can} well be described

large portion of the community does, by its preponderating influence, effect the whole, and gives to the individual habits and manners much to be deplored. Any attentive, humane observer, who might visit the colony, would soon be convinced of the truth

1807

21 Nov.

these remarks; and when he beheld a rising generation of several hundreds of fine children exposed to a contamination fatal to body and soul, he would tremble for their danger. He would soon discover that on the care and right management of the young it wholly depends what the colonists and colony shall in future be. Whether, by continued vice, idleness, and disaffection,

Depravity of the youth.

be a constant disgrace, expense, and danger to their Governors, or, by virtue, industry, and loyalty to gain a good name, easy circumstances, and diminish the present great expense to the present state. To obtain this very desirable object is my inducement for addressing you, and very happy should I be could I point out the best means of effecting it. Wise political arrangements, good example, and Christian knowledge have always been the most successful, whether at home or abroad; and I am of opinion that

Reformation and education.

these are immediately applied the young of both sexes may be saved from the destruction that threatens them, and the colony become valuable to the mother country. Part of this work, it is evident, falls as an incumbent duty on His Majesty's Government at Home, part on the Governors and magistracy in the colony, and a great part on the clergy and schoolmasters who may be appointed to this important employment.

The burden of the work.

A sketch of the different settlements and their population may convey an idea of the arrangements necessary, and of the number of clergymen and schoolmasters required for this undertaking.

Sketch of the settlements.

When His Excellency Governor Bligh took the command, in August, 1806, the inhabitants were in number 7,480, exclusive of those at Norfolk Island, Port Dalrymple, and Hobart Town. This population is dispersed from Sydney, the seat of Government, over a large tract of country, and are divided into and attached to different settlements. The most distant are those on the banks of the river Hawkesbury and Nepean, the latter near sixty miles from Sydney; the former about forty miles. These two contain near two thousand souls. These, I humbly submit, would require one clergyman and two schoolmasters.* Parramatta is about sixteen miles from Sydney, is populous, and has in its neighbourhood some smaller dependencies; so that there are upwards of two thousand souls who require one clergyman and at least one schoolmaster. Sydney, being the seaport, the residence of the Governor, and military headquarters, is the most populous. One clergyman should constantly reside here, and more than one schoolmaster is necessary. A steady, prudent married man and woman are wanted as master of the female Orphan School, established in Sydney; and a master for the boys, who are equally in as distressed

Hawkesbury and Nepean.

Parramatta.

Sydney.

* See Spencer Perceval's letter of 27th December, 1807, post, p. 393.

1807
21 Nov.
—
School and
other
teachers
wanted.

a state as the girls are. Other masters and mistresses will soon be much wanted to instruct children whose parents can afford to pay for their education; and it may be presumed that the latter would be little more expense to Government than their passage out in a transport, and to some a small grant of land. But for those masters and mistresses who shall be employed in training and teaching the orphans, the children of convicts and poor settlers, provision must be made by the public. An imperious necessity exists for their services; but from what source they are to be remunerated I must not presume to prescribe. It, however, appears to me that this burden (which by the humane and benevolent will not be deemed one) must in the present state of the colony fall on the mother country.

Personal
qualifica-
tions.

Importance
of health

and of piety.

Number of
children.

The coming
race.

Time will probably discover, as the settlements advance to maturity, equitable ways by which they may take every burden upon themselves. An important object at present is to procure proper persons to fill these situations. The clergyman must not expect to be stationary and quiet as at Home. Attention to a turbulent individual must often be his employment for a whole day; and to qualify him for this duty he should have a good natural constitution to endure the voyage and the fatigue of active service in the colony. Uninterrupted health has enabled me to endure much fatigue for the last seven years in visiting the different settlements and regularly to preach at two of them every Sunday—at Sydney in the morning and at Parramatta in the afternoon. These being distant from each other about sixteen miles, the riding frequently of upwards of thirty miles under a scorching sun I found prejudicial to the good health I enjoyed. Next to health, personal piety and an earnest desire to communicate Christian knowledge is necessary; and if he does not possess these he may as well stay at Home, for no real good can be effected by him. The schoolmasters should also be of this mind and disposition. Their task is very great. In August, 1806, the number of children amounted to 1,832, of whom 1,025 were illegitimate, and many of them of convicts and forsaken by their parents. Remote, helpless, distressed, and young, these are truly the children of the State, and though at present very low in the ranks of society, their future numerous progeny, if care is now taken of the parent stock, may by their preponderancy overbalance and root out the vile depravities bequeath'd by their vicious progenitors. Their numbers will in a very few years increase beyond that of the then existing convicts; and what the character of this rising race shall be is therefore an extremely interesting thing. By their geographical situations they are destined to convey to the numerous islanders in the Pacific Ocean the blessings of civilization and knowledge of the Divine Truth, and perhaps to add strength and wealth to the parent state.

I am, &c., SAMUEL MARSDEN.

GOVERNOR BLIGH TO LIEUTENANT SYMONS.

1807

25th November, 1807.

25 Nov.

You now being equipped for sea, you are hereby required and directed to proceed with His Majesty's ship Porpoise (her captain* being unfit to embark) to Norfolk Island, and there delivering my despatches to Captain Piper, the Commandant, you will receive on board such settlers, together with their families, live and dead stock, or stores, as he may point out to you to embark for the Derwent. Such stores as the Commissary has sent on board you are to deliver also to Captain Piper, except one hundred bushels of seed barley, which are intended for the Derwent, to which place you are to proceed when Captain Piper, the Commandant, has finally agreed with you on the concerns you are to undertake, and approves of your departure.

Evacuation
of Norfolk
Island.

On your arrival at the Derwent you will inform Lieutenant-Governor Collins of your proceedings, and request him to receive the persons and things you have without delay; and having so done you will return hither with the utmost dispatch.

Settlers to
remove to
the Der-
went.

As the duty which you have to fulfil is the complete evacuation of Norfolk Island, I have to enjoin you to keep up the utmost cordiality [with] the Commandant and the Lieutenant-Governors of the Derwent and Port Dalrymple, cheerfully consulting with them, and representing what you can accomplish in the number of souls, with their necessaries, you can take on board the ship. And that nothing may occur to delay the duty alluded to, you have my permission and orders to take down any and all bulkheads which you may see will give you more room for stowage, and carry a greater number of people, taking care to preserve such bulkheads in order that they may be put up again when it becomes necessary. And for [so] doing this shall be your order. W^M BLIGH.

Co-operation
of the
Lieutenant-
Governors.

THE REV. SAMUEL MARSDEN TO VISCOUNT CASTLEREAGH.

My Lord, 32, Norfolk-street, Strand, 1st December, 1807.

1 Dec.

After a residence of fourteen years in His Majesty's colony of New South Wales, by leave of His Excellency Governor King I have been permitted to return to England for the arranging of my private concerns, and to endeavour to obtain what I have long anxiously wished for—assistance in the sacred duties of the Church, which assistance is very much wanted by the increased population and deplorable state of religion and morality in that distant colony.

Marsden's
visit to
England.

I should have deemed this attempt, however desireable, but presuming in me, had I not been led to consider myself as regularly appointed to succeed the Reverend Richard Johnson to the Senior Chaplaincy of the colony. This appointment, I was informed by

Johnston's
successor.

* Captain Putland (Bligh's son-in-law); he died of consumption on 4th January, 1808.

1807
21 Nov.
—
School and
other
teachers
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* Captain Putland (Bligh's son-in-law); he died of consumption on 4th January, 1808.

1807
1 Dec. my agent in London, had been made in my favour in the year 1802, and notified to him by Mr. Sullivan in July of that year, a copy of which note is hereunto annexed.

An informality or oversight.

I trust that your Lordship's consideration will be in my favour, when, after services distant, arduous, and so very long, I am given to understand, now on my arrival, that my appointment as Senior Chaplain has not as yet been regularly made and entered on His Majesty's books, and that the salary for that appointment, and for the extra services performed by me since the retiring of the said Rev'd Richard Johnson, have not been paid agreeably to the certificates of His Excellency Governor King, transmitted and presented to William Chinnery, Esq.

Confirmation of appointment.

I therefore humbly request your Lordship will have the goodness to confirm the said appointment in my favour, and to order the salary attached thereto, with arrears in the same—and for extra duties performed by me at Parramatta and the Hawkesbury—agreeably to the certificates referred to.

I am, &c.,

SAMUEL MARSDEN.

[Enclosure.]

COPY of a note transmitted the 22nd July, 1802, by Mr. Sullivan to Mr. Ambrose Marten.

Marsden's appointment.

MR. SULLIVAN presents his compliments to Mr. Marten. He is desired by Lord Hobart to acknowledge the receipt of his letter respecting Mr. Marsden, and to acquaint him that His Lordship has given directions for the payment of a moiety of the Senior Chaplain's salary to Mr. Marsden from the period of Mr. Johnson's resignation. Mr. Sullivan has the pleasure to add that Lord Hobart proposes to advance Mr. Marsden to the Senior Chaplaincy of the settlement in consequence of Mr. Johnson's retiring.

JOHN MACARTHUR TO CAPTAIN GLEN.

7 Dec. [7th December, 1807.—See letter, *Trial of John Macarthur*, (*Colonial Secretary's Papers*), p. 466, post.]

THOMAS KENT* TO EX-GOVERNOR KING.

8 Dec. Sir, Queen's Head Inn, Southwark, 8th December, 1807.

An intending settler asks for King's recommendation.

From the recommendation of my friend, Mr. Enderby, who is well acquainted with my family and connections, and the explanations I have had the honor to make to you this morning, leads me to hope for your kind offices and advice towards my obtaining a settlement in New So. Wales under the most favourable circumstances that can be with reason and consistency expected: and that you may be more particularly inform'd, sir, of the objects I am desirous to obtain, I beg leave to state the substance of a letter I have written to the R't H'ble Lord Castlereagh (and which I have reason to believe have been laid before His Lordship).

* See Castlereagh to Bligh, 4th March, 1808, post, p. 532.

nely, a grant of land in New So. Wales for the general purposes
cultivation, together with the labour of a few convicts to remain
a limited time on the Government stores. I have also beg'd
mission of His Lordship to allow me a free passage and tonnage
an investment of implements, stores, &c. ; also for permission
purchase cattle, &c., from out of the Government stock. The
oney I proposed to employ at present in this undertaking I
sted to be five or six hundred pounds, since which I hope to
ake it convenient to enlarge that sum, the whole amount I wish
lay out in an investment ; and in doing so I should deem myself
tremely fortunate, sir, in having your advice, a due estimate of
value, and a gratefull seince of the obligation, I hope and trust
shall ever retain.

1807

8 Dec.

Will invest
£600.

I am, &c ,

THO'S KENT.

N.B.—Understanding the Lady Sinclaire is expected shortly to
il, I having some knowledge of Capt. Jackson, I am naturally
rry desirous to obtain if possible my passage in that vessel.

[Enclosure.]

TERMS RECOMMENDED BY P.G.K.

wo hundred acres of land, to be increased in the proportion of
0 additional acres a year, as his exertions as an agriculturist is
pproved by the Governor, until it amounts to 600.

Terms
recom-
mended by
King.

The labour of four convicts and himself to be maintained by
overnment for eighteen months, then to be of no further expence.

To have the usual proportion of stock—i.e., two ewes or two
ows—and seed for first year, and permission to purchase four
ows from Government herds, on making payment for the same
in money to be paid to the Commissary to pay away for grain,
&c., supplied the public stores.

Permission to take to the bulk of four tons in the ship he goes in.

GOVERNMENT AND GENERAL ORDER.*

Unauthorised Settlers.

9th December, 1807.

9 Dec.

MASTERS of vessels, or others not duly authorised by the Secretary
of State or Governor-in-Chief to become so, prohibited to purchase
the fee-simple of any land, messuage, or tenement.

Sea captains
as land-
holders.

EX-GOVERNOR KING TO UNDER-SECRETARY COOKE.

Sir,

London, 9th December, 1807.

Having understood that Lieut.-Governor Collins, in an
ficial letter to His Majesty's Principal Secretary of State, dated
†, had made some assertions respecting his not having

King replies
to Collins.

Reprinted from "Abridgment of General Orders," published by authority, January, 1808.
Blank in the original. See, however, Collins to Castlereagh, 17th June, 1806, ante,
4 *et seq.*, and Wyndham to Bligh, — January, 1807, ante, p. 233.

1807
9 Dec.

received due supplies from Port Jackson, I consider it a duty I owe His Majesty's service and myself to refute so unfounded an assertion.

Stores sent from Sydney.

Lieut.-Gov'r Collins arrived from England with an extensive and most liberal supply of provisions, stores, and every other requisite for forming a colony in Nov'r, 1803, and was finally settled at the Derwent in March, 1804, from which period until my being relieved in the chief government that settlement was supplied with the provisions, stores, stock, &c., amounting at a low valuation to £21,645 15s. 10½d., from the public stores at Sydney, as expressed in the enclosure, extracted from the Commissary's accounts.

Bills drawn by Collins.

To what amount bills have been exclusively drawn by Gov'r Collins's authority I am ignorant, as he never thought proper to make any communication to me on that subject except in requesting me to sanction a public paper currency in Van Dieman's Land, which I declined.

Stores sent from Sydney.

That Lieut.-Gov'r Collins and those under him were fully sensible and grateful for the supplies and accomodation I gave that settlement, as far as our stores would allow, I hold the most ample public and private documents under his own hand.

Provisions supplied from Sydney.

I also have the honor of enclosing a similar account of the supplies sent from Sydney to Port Dalrymple, which settlement was entirely supplied from New South Wales, and an equal progress was made to that settlement in comparison to that at Hobart Town. The account of supplies sent to Norfolk Island for New South Wales during the last eight years does not exceed £6,876 sterling.

Considering it necessary that my Lord Castlereagh should be informed of that circumstance before the Sinclair sails, in submitting it I have the honor to be, sir, &c.,

PHILIP GIDLEY KING.

[Enclosure.]

ACCOUNT of Stores, Provisions, Stock, &c., furnished from His Majesty's Stores, Sydney, New South Wales, and Norfolk Island, for the settling and maintenance of the new settlement at Hobart Town, in the Derwent, from 26th November, 1803, when Lieu't-Governor Collins took command of that settlement, to 15th March, 1806.

	£	s.	d.	£	s.	d.
Amount of stores sent from Gov't stores at Sydney	...	...	...	66	17	1½
Provisions supplied from Sydney.						
Wheat, 1,464 bushels, Government stores, 7/6	549	0	0			
Maize, 1,309 do do 4/-	261	16	0			
Flour, 143,786 lb. do came from England -/6	3,594	13	0			
Biscuit, 293 lb., Government stores @ 35/- ½ cwt.	4	11	6½			
Pork, 91,235 lb. do ... -/8	3,041	3	4			
Sugar, 20 lb. do ... -/6	0	10	0			
* ---, 3,540, brought by Lady Barlow ...	4	6	4			
Grain, 592 do do ...	0	19	2			
Spirits, 433 gallons, purchased from Eliza, 8/-	173	4	0			
				7,630	3	4½

* Word illegible.

PROVISIONS AND STOCK SENT TO THE DERWENT.

387

Stock supplied from Norfolk Island.				£	s.	d.	£	s.	d.	1807	
ork, 46,842 lb.	}	Purchased from settlers	{	-/5	975	17	6				
				and supplied from	40	0	0				9 Dec.
				Government stock.	162	9	3				Provisions supplied from Norfolk Island.
							1,278	6	9		
Stock supplied from Sydney.											
heep, 12, from Government stock,	40/-			24	0	0					
logs, 12, do do do	30/-			18	0	0				Live stock from Sydney ;	
tallion, 1, do Calcutta, by Buffalo	...			71	6	0					
lares, 3, do do do	£43 3 6			129	10	6					
ull, 1, do Government stock	...			40	0	0					
ows, 140, do Calcutta, by Lady Barlow, £21	...			2,940	0	0					
ullocks, 6, do Government stock, £40				240	0	0					
ive pigs, 62, weighing 7,117 lb., from Government stock	... -/8			237	4	8					
ams, 2, from Government stock, 133/-				13	6	0					
							3,713	7	2		
Provisions supplied from Norfolk Island.											
wes, 148, from Gov't stock	.. 40/-			296	0	0				from Norfolk Island.	
ows, 4, do do	... £28			112	0	0					
xen, 2, do do	... £40			80	0	0					
							488	0	0		
eight of L'y Barlow, with stock, provisions, and stores, to Hobart, p'r agreement				...			800	0	0	Freight paid.	
eight of the ship Ocean for removing the Settlement				...			3,896	2	0		
eight of the Pilgrim (schooner), viz.—											
Wheat meal, 7,500 lb., Gov't stores	-/2			62	10	0					
Sugar 1,577*do do	-/7			49	5	7½					
Rice 1,985 do do	-/3			24	16	3					
Nails, 10 m. do	...			.....			
One set of bills of exchange on the Right Honorable the Lords Commissioners of His Majesty's Treasury				...			259	14	10½		
							400	0	0		
ien't Bowen, in exchange for his mare, retained by Governor Collins (4 cows)				...			120	0	0		
eight of Sophia for 26 women, 1 man, provisions, &c., to Hobart				...			199	9	9		
							£19,492	6	2½	Additional stores sent.	
1 continuation—Amount of Stores and Provisions sent to Hobart Town from the 15th March to 26th July, 1806.											
7th April, p'r Venus (schooner), which was in away with previous to the delivery of her cargo by her own crew.											
ork, 11,184 lb., Gov't stores...	... -/8			372	16	0					
lour, 1,400 do purchased from settlers,	-/3			17	10	0					
Do English, 2,016 lb., Gov't stores	-/6			50	8	0					
arley meal, 1,658 lb., purchased from settlers	... -/2½			17	5	5					
ice, 600 lb., Gov't stores	... -/9			2	10	0†					
on hoops, 264 No., Gov't stores	...			.....			
tock locks, 2, Gov't stores	... 2/6			0	5	0					
							460	14	5		

* If this quantity, and the price given, is correct, the cost would be £45 19s. 11d.

† An error ; should be £22 10s.

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 land, or, ^{some time} any indulgence
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 intentions so to do, and
 is thereon, but no more.

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it in time. -

The order
there, ^{can} well be described

and our inferences drawn from
it may appear to require some
aid from opposite principles
to them to understand is, that
the settlement must act according
to our orders they may be as
thing is left to my own will
is applied. - I feel very much for
it to England, and if I do not
considered to be, the colony has
it. - At present every thing
- our harvest promises well
years further supplies of
will be able to feed ourselves,
and ... our rebellious subjects
to keep them so I have divided
at once without our knowing
of my situation is more
- historical, civil, criminal

.....

and :

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1807	PRIVATE remarks and true calculations on His Excellency's farming concerns, stock and estate, here.									
19 Dec.										
Live stock.	The fat weathers and weather lambs, the barrow swine that will be fit for killing, when butchered and sold to the best advantage for grain, as my own, instead of allowing such extortionate profit to the butcher, will save the poor people more, and bring about six pound each on average. Sheep and lambs, admits of a certain calculation for a return of cash at the end of the ensuing quarter, by said grain, with the farms' produce, &c., being put into store, about to the following amount, viz.,—									
Probable receipts.	24 wedders and lambs and 5 swine, at about £6, is	...	...	...	...	...	...	£174	0	0
	The crop of wheat now secured in two stacks; and 12 acres, part of the crop of maize that will be ripe then	...	...	...	...	...	...	250	0	0
	Cash now in hand up to the 14th inst.; as per dairy account, not including this week...	...	...	...	...	...	...	60	0	10
	And considering about £7 per week for milk up to the 31st March, the end of the quarter, when the cost bills of this place is consolidated, being 15 weeks, will be	...	...	...	...	...	...	105	0	0
	Total cash to be realised this season on the trivial things without reducing the principles, which will remain worth £3,678, established stock, &c....	...	...	...	...	...	...	589	0	10
Horned cattle.	Cows	...	...	...	...	...	...	22		
	Year-old heiffers	...	...	...	...	...	...	16		
	Bull	...	...	...	...	...	...	1		
	Working bullocks	...	...	...	...	...	...	10		
	Encrease here	...	...	...	...	...	...	6	male calves	
	Do do.	...	...	...	...	...	...	6	female do.	
	Total ..	...	...	...	...	...	...	66*	horned cattle.	
Last return, 61 ; encrease since, five, including the three received from Sydney.										
Sheep.										
Sheep.	Ewes	...	...	...	...	...	...	...	46	
	Wethers	...	...	...	...	...	...	...	14	fat
	Encrease here	{	Male lambs	...	...	...	...	...	10	fat
		{	Female do.	...	...	...	...	...	19	
	Total	...	...	...	...	...	...	...	89	sheep
Fowls, &c., &c.										
Poultry.	Five hens and one cock	...	6	One gander and two geese	...	...	...	...	3	
	Encrease fifteen chickens	...	15	One drake and two ducks	...	...	...	...	3	
	One turkey hen and cock	...	2	Total	...	...	...	...	29	
Swine.										
Swine.	Breeding sows	...	9	Increase here :—Sow-slips	...	...	...	...	20	
	Boar...	...	1	Do. barrow-slips	...	...	...	...	30	
	From C. Hills† barrows	...	5	Do. suckling	...	...	...	...	20	
	From do. barrow-slips	...	4	Total	...	...	...	...	93	
	From do. sow-slips	...	4							
Increase since the last return, 10.										

It is to be hoped His Excellency will pardon the liberty of these private hints, and should they not be approved of, any other directions will be very carefully obeyed by His Excellency's devoted servant,‡

ANDREW THOMPSON.

* Either one of the items is wrongly copied, or there is an error in the addition. † Castle Hill. ‡ See also ante, pp. 262, 267, 270, 307, and post, pp. 410 and 450.

THE RIGHT HON. SPENCER PERCEVAL TO ———*

1807

Dear Sir,

Downing-street, 27th December, 1807.

27 Dec.

I return you the papers respecting New South Wales. Governor Bligh seems to have very right views of his situation and the duties of it, and will no doubt be encouraged by the assurance of support at Home. You may tell Lord Castlereagh that I shall be very ready to concur in the propriety of affording such salaries to the clergymen as may be sufficient to procure persons of the character and description which are wanted to undertake the very important but disagreeable duties which they must have to discharge in such a state of society. I will concur also, as far as my office is concerned, in the allowance of proper salaries to a sufficient number of schoolmasters. On these two descriptions of persons the future hopes of the colony must depend; and no reasonable expence which may be carefully applied to obtain and secure them ought to be spared. The idea of apportioning glebes for the clergy is good; but it certainly only affords the future and distant prospect of support to them—it can afford nothing for the present, unless the Govern't could spare some of the lands which have already been cleared and brought into cultivation; and if they be conveniently contiguous to the places where it is desirable that the clergymen should have their residence, perhaps such an application of land now in the hands of Govern't might be well made. Provision should certainly be made for their residence in convenient situations, as well as for their maintenance. Such arrangements are easy in the early state of the colony, and are impossible afterwards without a great expence. Similar grants of land may perhaps form the fund for the permanent support of the schools and schoolmasters. Schools, or some system at least of regulated education, in which industry and morals are more attended to than is learning, should be co-extensive with the youth of the settlement.

The
Chancellor
of the
Exchequer
on Colonial
affairs.Salaries for
clergymen
and school-
masters.Glebe lands
for the
clergy.

Next to providing for the education of the rising generation, the care of the female convicts upon their first landing seems most deserving of notice, and the suggested correction of the present system, which seems to turn them loose from the ship into the necessity of prostitution, ought to be adopted.

Female
convicts.

Pray let it be considered how far it might be possible to assign to the *native* females, at least when manageable, certain portions of land, which should not be alienated in their life time and might descend to the first generation. This would make it the interest of the husband not to desert his wife, and to remain in the colony.

Colonial-
born
females.

* There is nothing to show to whom this letter was addressed—probably to the Under-Secretary of the Colonial and War Department. The writer was Chancellor of the Exchequer in the administration of the Duke of Portland. When the letter was written, Bligh's despatch of 7th February, 1807, ante, pp. 246-52, had been in the Home Office several weeks. See Bligh's allusions to religion and education, ante, p. 251.

1807
27 Dec.
A Judge-
Advocate.
Hemp.

The reform in their judicature, by getting a court out there, is certainly desirable. I should think it might be managed.

I wish Lord Castlereagh's particular attention to a passage in Gov'r. King's letter of August, 1807, about the 12 or 13 page, and relates to the hemp and encrease of *hemp*. He describes the encrease, and sequence of it admitting of two crops in a season, to be exceeding great; and surely, considering the situation of this country, next to the growth of such a colony, the cultivation of that article might be applied to. Have the India Company been applied to, to admit of intercourse between Canton and N.S. Wales which was wished for?

Cattle from
Madagascar.

There was an account sent me the the other day of Dundas of the great abundance and cheapness of grain at *Madagascar*. If that account was true, a great advantage might be made of it by the colony.

Yours, &c.
Sr.

28 Dec.
Grimes at
Port
Dalrymple.
Piper's
brother.

SURVEYOR GRIMES TO CAPTAIN PIPER. (Norton
Dear Piper, Sydney, 28th Decem

News from
Sydney.

I cannot let the present opportunity pass without telling you how you do. I am just returned from Port Dalrymple spending eight as pleasant months as any of my brother's was good enough to share all my fatigues with me. I can assure you, would have been a tiresome task. We measured across to the Derwent. He wrote to me when I left him he was quite well, and, I hope, doing as well as a great favourite with Pat.† When are we to see you? Harris is expected hourly. Harris has hurt is (*sic*) right leg, and will become a shipowner, or he would write to you. Ultimo on New Year's Day. I live altogether with my family. I find it is "not good for man to be alone." Sydney. McArthur under bail to be tried by a Criminal Court. I have not heard the indictment, but the basis will be for the Judge and his powers. Putland is not dead; that is as I can say. If Bristow has not touched at Norfolk, it is an old story to you. It is an old story to you of y'r long-deserved promotion.§ I hope you are going for a major.

* See this extract, vol. v, p. 426. Cf. also pp. 526 and 560, of the same volume.
† Hugh Piper, Ensign in N. S. W. Corps, 29th March, 1799; Lieutenant, 1806; Captain, in 102nd Regiment, 13th June, 1811.

‡ Lieutenant-Colonel Paterson.

§ Piper had, some little time before, been promoted to a captaincy.

A Ju
Advo

Hem;

Catrl
Mada

25

Gain
Port
Dadr

Pipe
brotl

New
Sydr

Captain Cypher

de la

Marshall's

I should be quite delighted to go and see you. I know not anything there that will amuse you by relating. Our news from the old country augurs bad for it. Bonaparte is said to have completely routed the Russians, the only stay of Europe. What will be the end, I dread to think ; but any place would be better, under any circumstances, than living, or, rather, existing, here. I am getting out of humour. It will have, I hope, one good effect—make you more happy in your present happy situation. Kent is waiting. Adieu!

1807

28 Dec.

European news.

Yours, &c.,

C. GRIMES.

JOHN MACARTHUR, ESQ., TO GOVERNOR BLIGH. (Colonial Secretary's Papers.)

Sydney, 29th December, 1807.

29 Dec.

May it please your Excellency, the memorial of John MacArthur,—

Respectfully sheweth:—

That Richard Atkins, Esq., Judge-Advocate of this colony, stands indebted to your memorialist in the sum of eighty-two pounds nine shillings and five pence on account of the principal and interest due on a bill of exchange, drawn on the 14th February, 1793, by the said Judge-Advocate, on his brother, General Bowyer,* and which on being presented for payment was refused by the General in the following remarkable words:—"I will not pay a shilling for him." That repeated applications for payment of the said bill have been since made to the said Judge-Advocate without effect.

Atkins and MacArthur's monetary transactions.

That on the 21st inst. your memorialist called at the house of the said Judge-Advocate with intention personally to require his money ; but the Judge-Advocate first caused himself to be denied, and, afterwards finding that your memorialist remained in his garden, he sent a servant to say he could not then be spoken with.

MacArthur seeks an interview.

That your memorialist then left a memorandum containing the particulars of his demand, and on the next day he wrote to the Judge-Advocate as follows:—

A formal demand.

"Mr. MacArthur will be thankful to Mr. Atkins if he will have the goodness to send him this morning payment of the bill which he delivered yesterday for £82 9s. 5d., being the principal and interest due on Mr. Atkins's draft, in favour of Captain Boyde, [? Bond] drawn near fifteen years ago."

* There appears to be some confusion here. According to Burke's "Peerage," Sir William Bowyer had four brothers. Cecil (drowned in India), George (who succeeded to the title), Henry (Lieutenant-General and Colonel of the 16th Regiment), and Richard (who took the surname of Atkins under the will of Sir Richard Atkins). MacArthur states that the bill was drawn on the General (Henry), while Atkins states it was on his brother, Sir William. The explanation probably lies in the fact that Sir William Bowyer died in 1790, and that after his death the bill was passed on to his brother, the General. Atkins died in November, 1820, at the age of 75, *Gentleman's Magazine*, vol. xc, p. 571. Query.—Was this the bill originally drawn in favour of Captain Bond, vol. iii, p. 123? Cf. the evidence of Campbell, post, p. 438.

1807
29 Dec.
Atkins's
reply.

That the messenger who took your memorialist's note brought back the following answer :—

" Sir,

" I have received your account of a bill drawn by me on Sir William Bowyer, so far back as the year 1793, for £26 6s. Though I am well aware that by the Statute of Limitation I am not legally bound to pay it, yet, sir, on your producing the original bill, together with the protest, &c., I will pay it, together with the legal interest from the time it was so protested, but not this day.

" RICHARD ATKINS."

An error.

That your memorialist immediately after the receipt of this letter caused the returned bill (which is regularly noted for non-payment) to be presented to the said Judge-Advocate, when he declared there was a mistake as to the sum and interest, but he would be punctual to do what he had before said.

The
Statute of
Limitations.

That seven days have since elapsed, and your memorialist has heard nothing further from the said Judge-Advocate, which gave your memorialist cause to apprehend that the Judge-Advocate intends to avail himself of the Statute of Limitation, as he has expressly stated in his letter he can if he pleases.

A Judge
and his
creditors.

That your memorialist being sensible he may have some trouble to set aside such a plea, humbly submits to your Excellency's better judgment the unhappy effects it might produce on the morals of this colony if it should appear that a Judge resists the payment of a just debt, without any other reason to offer in his defence than that he chose to take advantage of the merciful and indulgent spirit of his creditor.

Will Bligh
interfere?

Your memorialist humbly trusts that this candid statement of facts will induce your Excellency to interfere on his behalf; and, at all events, your memorialist respectfully intreats that your Excellency will be pleased to constitute a Civil Court of Jurisdiction, with power to compel the said Judge-Advocate, Rich'd Atkins, to answer your memorialist's demand according to law.

JOHN MCARTHUR

SECRETARY GRIFFIN TO JOHN MACARTHUR, Esq. (Colonial Secretary's Papers.)

Government House,

Sydney, 30th December, 1807.

80 Dec.
Bligh's
reply.

Sir,

His Excellency directs me to inform you, in answer to your memorial of yesterday's date, that a Court of Civil Jurisdiction is open to take cognizance of all civil actions, and that he has communicated your memorial to Mr. Atkins, the Judge-Advocate, who will further answer it.

I am, &c.,

EDMUND GRIFFIN,

Secretary.

VISCOUNT CASTLEREAGH TO GOVERNOR BLIGH.

1807

Sir,

Downing-street, 30th December, 1807.

30 Dec.

An application having been made to this office by Lord Fitzwilliam for a leave of absence for Mr. D'Arcy Wentworth, I am to desire that he may be permitted to return to this country for one year, provided it can be done without inconvenience to the public service.

D'Arcy
Wentworth's
leave of
absence.

I have, &c.,

CASTLEREAGH.

EX-GOVERNOR KING ON AUSTRALIAN TIMBERS, &c.*

December, 1807.

— Dec.

THE iron† and stringy barks‡ are straight, from 40 to 80 feet high, and 18 to 20 inches diameter, generally sound throughout, without much crooked or compass timber. It is heavy, but the latter not more so than oak. Both are well adapted to the different purposes of keels, beams, uprights, and floor timbers of large scantling, and many other purposes where straight and durable timber is required. Of the stringybark several ships have had lower masts. The Buffalo now has a fore and mizen mast and boltsprit of that wood, and two cheeks of the mainmast, all which she had in 1799, and has had them ever since. Their excellence, as well as that of studding sails and other booms, was sufficiently tried in the blowing weather and high seas she experienced in two voyages round Cape Horn. Fifty-gun ships' foremasts and mizen-masts, might be selected, and it may be presumed that spindles for larger ships' masts might be made from those trees which abound in all parts.

Ironbark
and
stringybark
timbers.

Spars on the
Buffalo.

The box§ is a very fine timber, and grows in great abundance about Parramatta, quite straight, from 60 to 100 feet high, and from 18 to 26 inches in diameter, tapering but little. The crooked wood, being the branches, &c., are of small size; but this timber answers every purpose of the foregoing species, except that growing so very straight it might not answer so well for floor timbers; but for every kind of straight work, gun-carriages, &c., is equal to any wood in the world. Much of it has been used in Portsmouth Yard for tillers of all rates.

Box-wood.

The blue|| and blackbutted blue gum¶ are in New South Wales esteemed good woods, and some vessels which answer extremely well have been built principally of these woods, from their affording good crooked timber and cutting well into the planks. Most of this species that I saw in Portsmouth Yard are shaky, which may be owing to their being cut down at an improper time of the year; but that circumstance I do not think ought to condemn that wood, without a farther trial of its good or bad qualities; and if the experience of those who have worked those woods can be relied

Bluegum
and
blackbutt.

* This document was addressed to the Commissioners of the Board of Revision.

† *Eucalyptus paniculata* and others. ‡ *Eucalyptus cupitellata* and *E. eugenioides*.

§ *Eucalyptus hemiphloia*. || *Eucalyptus saligna*. ¶ *Eucalyptus pilularis*.

1807
— Dec.
—
A proof of the durability of Colonial timber.

on, from their making choice of it to build their vessels, it ought to be equally considered with the rest, if found necessary to send for timber to N.S. Wales ; and as a farther proof of the goodness of all these foregoing woods, Gov'r Hunter left a frame of a vessel[†] composed of the different species of woods, and intended to be 150 tons, which for want of shipwrights could not be finished. The frame was up seven years, exposed to all weathers, and when taken down to put into smaller vessels the whole was perfectly sound and good, nor could the treenails be drove out.

New Zealand timbers.

* * * * *

Never having landed at New Zealand I cannot report on this subject from my own knowledge, but have always understood that very fine masting of pine, and wood fit for planking, abounds throughout and is easily procured—which the good terms we are on with Tip-a-he, Chief of the Bay of Islands, would greatly facilitate the acquiring any quantity. And I am persuaded that the hemp[†] of that country would be a great object of national importance and of easy acquisition. On these subjects much more satisfactory intelligence may be readily obtained from masters of south whalers, who have constantly refreshed at New Zealand, and when the Board wishes it I will send or attend with them.

Hemp.

Respecting the growth of hemp in New South Wales, we had no seed until 1804 ; when about half a pint grew it was propagated and grew extremely luxuriant, the plant being eleven feet high and of a very superior staple. A quantity of this was manufactured for different purposes, among which was a main and mizen topsail, the greatest part of a mainsail, and an awning, with other sails, &c., for the Buffalo, which lasted most of the passage from New South Wales to this country, and can now be produced as a sample of its goodness and strength.

Ironstone.

The ironstone about New South Wales has not been considered on account of its not yielding a sufficient proportion of iron to encourage its being worked. A quantity of specimens of ores were received from Port Dalrymple, which has been tried here in the dock-yard, and from the enclosed report you will perceive that this ore yields 60 lb. of pure iron from 100 lb. of ore, samples of which I shall present to your Board, and the iron smelted therefrom.

I have, &c.

PHILIP GIDLEY KING.

UNDER-SECRETARY COOKE TO GOVERNOR BLIGH.

[Extract.]

31 Dec.

Sir,

Downing-street, 31st December, 1807.

Bligh's measures approved by the Secretary of State.

* * * * *

I am to express Lord Castlereagh's approbation of the measures taken by you to relieve the colony from the late calamities occasioned by the imprudence of the colonists in not taking precautions against possible inundations.

* The Portland.

† *Phormium tenax*.

I am also to express his full approbation of the measures you are taking to prevent the barter of spirits, and His Lordship hopes there is no officer or gentleman or planter in the colony who will not give you the most cordial assistance in any measures which have a tendency to remedy those evils which the intemperate use of spirits so universally generates.

E. COOKE.

1807

31 Dec.

VISCOUNT CASTLEREAGH TO GOVERNOR BLIGH.

Sir,

Downing-street, 31st December, 1807.

31 Dec.

Your General Letter of the 9th February* last was brought by Capt'n King and received here on the 9th November, and has been laid before the King.

Bligh's letter.

Much as I must lament the distress which the colony has suffered from the inundation of the Hawkesbury, and the carelessness of the colonists in not taking precautions for securing their corn when housed from the danger of floods, which may ever be expected in that river, it is a source of much satisfaction that the produce of the harvest, though a bad one, together with the cargoes of rice which have been ordered, seem sufficient to secure the colony from anything like famine. If the calculation of your letter be just, the proceeds of the harvest in wheat and maize, joined to the cargoes of rice expected, will produce an allowance of 2 lb. a person for the colony for very near a year at the calculation of 8,000 inhabitants of all ages ; and I find you have made no calculation for potatoes, and which I understand are a certain crop in the colony.

Food supplies :

Grain.

With respect to animal food, you seem not to be in want. A year's supply was sent from hence in February last, and nearly a like quantity is now going by the Sinclair and Recovery.

A Animal food.

The price you have fixed for the purchase of wheat, viz., 14s. 9d. a bushel, is extremely high, though perhaps unavoidable, and, as you state in a subsequent letter, will oblige the Commissary to draw bills to the amount of £12,000. These bills, under the circumstances of the calamity which has happened, will, of course, be honored ; but the consideration of such an expence and of the danger the colony has experienced will increase your exertion to take such measures as will secure it from the recurrence of an accident which prudence may certainly prevent. I shall hope, therefore, to hear that the inhabitants, under your suggestion, have entered into such means of securing their harvest as to prevent the possibility of such ruinous accidents as have lately endangered the existence of the colony.

The price of wheat.

* The letter to which Castlereagh refers is doubtless that printed on pp. 246 to 252, ante, and which is dated 7th February.

1807

31 Dec.

Pasture
lands for
Macarthur.

It is impossible for me at this distance to judge inexpediency of the grant to Mr. McArthur of lands western side of the Nepean, and what detriment may arise from limiting the extent of range in which the wild cattle feed will, I should hope, readily acquiesce in accepting lands in direction equally profitable for the feeding of his flock; occupation of any part of the Cow Pasture should be a real detriment to the increase of the cattle; but I would wish giving any positive direction for revoking a grant which directed to be made with a view of furthering the spirit improvement.

No land
grants west
of the
Nepean.

I shall, however, attend to your suggestion of not directing to be granted in future to the west of the Nepean until your statement on the subject with such a description of the quarter of the country as will satisfy Government that it not be settled.

The spirit
traffic.

I am to express His Majesty's approbation of the determination you have adopted to put an end to the barter of spirits; it appears to have been abused to the great injury of the colony, and I am to recommend that whatever regulations may find it most eligible to establish for the sale of spirits that you will never admit a free importation but preserve the trade under your entire controul, and that you will not fear to levy the penalties you shall establish for preventing illegal import. The duties upon this article will form one of the most material sources of revenue, and the application made of them for the support of the Orphan House ought to be an additional motive to the settlers to concur in the policy of high duties on the article.

Duties on
spirits.

Religion.

I am happy to find that you are so fully engaged in correcting the churches at Sydney, Paramatta, and the Hawkesbury; Marsden has represented the religious state of the colony to it also before the Archbishop of Canterbury; and I hope will be found to induce a sufficient number of clergymen to settle in New South Wales by the next ship, or when Mr. L returns.

Education.

I shall also trust that some schoolmasters, properly qualified, may be found, who will be induced to proceed at the same time.

Marriages
to be
promoted.

You appear to be sensible of the importance of promoting an increase of marriages in the colony; and, undoubtedly, the great proportion which appears to exist of illegitimate children in comparison with legitimate children, leads to the conclusion that no proper system for advancing this grand object has not been adopted. From the circumstances of the colonists, and the numbers of men leaving their wives or husbands in England, and the disproportion between the sexes, it must be extremely difficult to prevent the evil complained of; but I have understood that sufficient

have not been taken with respect to the disposal of the female convicts on their first arrival in the colony, and that they have been indented to improper persons in order to ease, as soon as possible, the expense of supporting them by Government rations. The impolicy of this system is so obvious that I trust you will not persevere in it, but in every case endeavour to make the reformation of the female convict and her regular settlement by marriage a consideration superior to the saving, for any short period, the expense of maintaining her.

1807

31 Dec.

Female
convicts.

In proportion as the number of orphans increase, the necessity augments of providing for their education, so as to render them useful and creditable members of society; and, with regard to the female orphans, the utmost care should be taken in apprenticing them and settling them—taking some security from such persons as they may be bound apprentices to for the care of their religion and morals, and holding out encouragement by grants of land to those who marry them, but not suffering such grants of land to be alienated during the life of the female grantee.

The
orphans.

Governor King has represented that the growth of hemp in the colony is very luxuriant and the hemp of the best staple. As this is an object of great consequence, I wish you to have a full experiment and report made on the subject, and you will consider whether some contract might not be entered into for procuring a certain quantity at a fixed price annually.

Hemp.

Lieutenant-Governor Foveaux—the Lieutenant-Governor of Norfolk Island—returns in the Sinclair, and carries this dispatch; and I am to desire that he may proceed to that island, and that the establishment of it should be the same as under Gov'r King, unless, in consequence of Mr. Windham's letter, it shall have been previously evacuated.*

Lieutenant-
Governor
Foveaux.

It is not wished, however, that the number of settlers should be there increased; but it seems not advisable to relinquish an island so very fertile, and which is so useful in affording supplies to the South Sea whalers, and, occasionally, to Port Jackson.† I have recommended to Colonel Foveaux particularly to attend to the culture of the coffee plant, which, I believe, he introduced in the island, and which is now beginning to bear.

Partial
evacuation
of Norfolk
Island.

I shall wish to receive from you the fullest and most detailed accounts of the settlements at Port Dalrymple, which, possessing great advantages, and in its position commanding the navigation of Bass's Straights, and also in a soil not only fertile but in many parts clear of wood, appears also to produce ironstone of a very

Port
Dalrymple.

* See Windham's letter of 30th December, 1806, ante, p. 224, and Bligh's orders to Piper, ante, p. 283.

† No doubt ex-Governor King, the founder of the settlement at Norfolk Island, was responsible for this change of front on the part of the Home authorities in the matter of the complete evacuation of the island. See vol. v, pp. 157, 403, 406, 448, 581, 600; ante, pp. 224, 283, and 367; and post, pp. 598, 720, 784, 785, 812.

1807

31 Dec.

rich quality ; and if that part of the country also abounds in limestone, this settlement may be hereafter of considerable importance. I am on these accounts led to entertain an opinion that the colony at Port Dalrymple requires your peculiar attention and to be fully settled ; and I am to desire you will take what means are in your power for ascertaining the productions of its soil, and especially those which are mineral.

Hobart
Town.

The settlement of Hobart's Town is represented by Governor King to be at too great a distance for the general resort of whalers, and, therefore, not likely soon to become of any material importance* ; and if this information be right, you will not send settlers there, but retain it as a place where convicts may be usefully employed till the utility of forming there a permanent establishment shall be more fully ascertained. I am, at the same time, to desire you will repeat the caution given by Mr. Windham to Lieut't-Governor Collins, who seems to be inattentive in the article of expenditure, and desirous of withdrawing himself upon every occasion from the superintendence of the government of New South Wales, and anxious to receive orders from His Majesty's Ministers alone. You will convince him that he will be made responsible for such charges as he shall make which shall not be fully substantiated and sanctioned by your approbation.

Lieutenant-
Governor
Collins.

The Medical
Staff.

Mr. Savage—one of the assistant-surgeons of New South Wales—does not return, having engaged with the East India Company. Mr. D'Arcy Wentworth has received leave to return to England ; and I find Mr. Jamieson, the chief of the establishment, has prayed for leave to come Home in order to carry out his family to the settlement.

Jamieson's
leave.

Under the circumstances of this application, I cannot refuse allowing you to permit his absence from the colony, and it must depend upon the circumstances of your having such a supply of assistant-surgeons as will not leave the settlement in want of medical attendance. At present I am unable to procure mates proper to be sent out to the colony ; and I am, therefore, to authorize you to take into the service such surgeons or mates as may visit the colony in any ship that comes there, and whom you shall find eligible for employment.

Promised
land grants.

I am to desire you will carry into execution the grants of land which were promised to Mr. Townson, Captain Short,† Mr. Bunker, and Mr. Fitz, the private recommendation of which you acknowledge to have received, and for which you wait for official authority.

The explanation made by Commissary Palmer respecting the allowance of 15 per cent., which it was alleged he appropriated to his own use, is fully satisfactory.

I have, &c.,

CASTLEREAGH.

* See Collins's comment on this statement, post, p. 773.

† Captain Short had returned to England when this was written.

NEW SOUTH WALES CORPS.

1807

31 Dec

Rank.	Name.	Rank in the	
		Regiment.	Army.
1	Francis Grose	18 Jan., 1798	Major-General 1 Jan., 1805
nant-Colonel	William Paterson	18 Jan., 1798	
	Joseph Foveaux	10 June, 1796	Lieut.-Colonel 29 April, 1802
.. ..	George Johnstone	13 Nov., 1806	1 Jan., 1800
	Edward Abbott	11 Nov., 1795	
	Ralph Wilson	17 July, 1801	1 July, 1795
n	Anthony Fenn Kemp	13 Nov., —	
	William Savary	28 July, 1803	Lieut.-Colonel 1 Jan., 1801
	John Piper	13 Nov., 1806	
	John Cummings	20 Nov., 1806	25 June, 1808
	Thomas Davies	24 June, 1796	
	Thomas Hobby	9 Nov., 1797	
	John Brabyn	15 Aug., 1800	
	William Moore	8 Oct., 1801	
	Nicholas Bayley	8 Jan., 1802	
nant	Thomas Laycock	11 Feb., —	
	William Minchin	21 Mar., 1805	Adjutant
	Hugh Piper	13 Nov., 1806	
	William Lawson	14 Nov., 1806	
	John Mill	20 Nov., 1806	
	Cadwallader Draffen	11 Dec., —	
	Charles Cressy	17 Mar., 1803	
	Samuel Laycock	22 Mar., 1805	
	James Mason	11 July, —	
1	Henry Crause	14 Nov., —	
	John Henderson	19 Nov., 1806	
	— Masters.. ..	20 Nov., 1806	
	Archibald Bell	11 Dec., —	
ster	William Cox.. ..	28 Sept., 1798	
ant	William Minchin	2 Nov., 1796	Lieut. 21 Mar., 1805
er-master ..	Thomas Laycock	5 Jan., 1791	
on	John Harris	26 Jan., 1791	
ant Surgeon..	William Bohan	10 July, 1806	

Agent—Messrs. Greenwood and Cox, Craig's Court.

RN of Live Stock in His Majesty's Settlement at Port
alrymple, Van Dieman's Land, to 31st December, 1807.

	Horned Cattle.		Sheep.		Horses.		Goats.	
	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.
ging to the Crown...	328	139	190	80	1	3	..	..
,, individuals...	68	19	268	120	4	4	91	36
Total.....	396	158	458	200	5	7	91	36

1807
31 Dec.
Vessels entered inwards at Port Jackson.

SHIPPING RETURN.
REPORT of Ships and Vessels entered Inwards from the Port of Port Jackson in His Majesty's Colony of New South Wales, from the first day of July to the 31st December, 1807.

When enter'd.	Name of the Ship.	Master.	Build.	No. of			Where built.	Registered.	Name of the Owners.	From whence.	Cargo.
				Tons	Guineas	Men					
7 July	Young William ..	Will'm Watson ..	Foreign ..	282	8	22	Rotterdam ..	London ..	Daniel Bennett ..	London ..	General merchandise.
27 "	Duke of Portland ..	John Clark Spence ..	" ..	523	18	39	Bordeaux ..	" ..	" ..	" ..	Female convicts and Government stores.
11 Sep.	Grand Sachem ..	Coffin Whippey ..	American ..	250	18	22	Newbury ..	Newbury ..	Benjamin Roach ..	Whale Fish'r'y	100 ton of oil.
14 "	Aurora ..	And'w Meyreck ..	British ..	300	18	24	.....	Milford ..	Daniel Sterbeck ..	" ..	130 "
16 "	Elizabeth ..	E. Bunker ..	Foreign ..	238	2	10	.....	London ..	Campbell & Wilson.	" ..	60 "
16 "	Indispensible ..	Robert Turnbull ..	" ..	351	10	28	.....	" ..	Daniel Bennett ..	" ..	188 "
21 "	Albion ..	Cuth. Richardson ..	British ..	362	10	24	Deptford ..	" ..	Wilson, Campbell, & Page.	" ..	150 "
22 "	Ferrett ..	Philip Skelton ..	" ..	208	10	25	.....	" ..	Daniel Bennett ..	" ..	100 "
26 Oct.	Duchess of York ..	Austin Forrest ..	Plantation ..	192	14	25	Calcutta ..	Calcutta ..	Campbell & Hook ..	Fogee Islands	65 ton of sandal-wood.
2 Nov.	Jenny ..	Will'm Dorr, jun. ..	American ..	206	6	14	New York ..	Boston ..	John Dorr ..	Boston ..	General merchandise.
12 "	Pegasus ..	Thomas Graham ..	Prize to His Majesty's ship Cornwallis.	..	..	..	.....	.....	Capt. Johnston ..	Coast of Peru	"

405

1807

31 Dec.

Vessels
cleared
outwards at
Port
Jackson.

Mount Bank

1807

31 Dec.

Vessels
entered
inwards at
Port
Jackson.

South Wales, from the first day of July to the 31st December, 1807.

When clear'd.	Name of the Ship.	Master.	Build.	No. of		Where built.	Registered.	Name of the Owners.	Where bound.	Cargo.
10 July	St. Anna ..	Will'm Moody ..	Foreign ..	220	20	(Spanish) ..	Prize ..	Lord, Kable, & Underw'd.	The Seal Fishery, and to proceed to London.	
25 "	Hannah & Sally ..	Nath'l Cogswell ..	American	167	411	Dennis Creek	Philadelphia	Nath'l Cogswell ..	Canton ..	19,300 seal-skins.
12 Sep.	Young William ..	Will'm Watson ..	Foreign ..	327	830	Bordeaux ..	London ..	Daniel Bennett ..	The Fishery	.....
26 "	Grand Sachem ..	Coffin Whippley ..	American	250	22	Newbury ..	Newbury ..	Benj'm Roach ..	"	.....
26 "	Indispensible ..	Rob't Turnbull ..	Foreign ..	351	1028	.....	London ..	Daniel Bennett ..	"	.....
10 Oct.	Aurora ..	And'w Meyrick ..	British ..	300	24	.....	Millford ..	D'l Sterbeck and others.	Millford ..	180 tons of oil, and 292 salted seal skins.
20 "	Ferrett ..	Philip Skelton ..	"	208	1025	.....	London ..	Daniel Bennett ..	The Fishery	.....
	Alblon ..	Cuth't Richardson	"	362	1024	Deptford ..	"	Wilson, Campbell, & Page.	"	.....
24 "	Sydney Cove ..	Will'm Edwards..	Foreign ..	282	822	Rotterdam ..	"	Thos. W'm Plummer.	London ..	161 casks of oil and salted seal-skins. In bulk, 23,074 skins, 12 tons 11 cwt. of Brazil wood, 37 logs of beef-wood, and a quantity of plank.
7 Nov.	Elizabeth..	Alex'r Bodie ..	"	238	224	.....	"	Campbell & Wilson.	The Fishery	.....
7 "	Duke of Portland	Jo. Clark Spence	"	523	1839	.....	"	Daniel Bennett ..	London ..	635 casks of oil, 16 do. of salted seal-skins. In bulk, 6,254 skins, 18 logs of ash-oak, 2 stills with worms and heads, as per certificate.
24 "	Duchess of York	Austin Forrest ..	Plantation	195	1440	Calcutta ..	Calcutta ..	Campbell & Hook	Canton ..	Ballast.
19 Dec.	Amethyst ..	Seth Smith, jr....	American	270	1050	Salem ..	Boston ..	John Dorr ..	The Seal Fishery.	.....

Naval Office, Sydney, 31st December, 1807.

Rob't CAMPBELL, Naval Officer.

Vessels cleared outwards at Port Jackson.

1807
31 Dec.

RETURN of the number of acres of land sown with the different sorts of pasture and fallow land; the names of the persons by whom the said by each individual in the cultivation thereof, and the quantity together with the number of rations issued daily to the civil and

By whom held.	Number of acres in—									Total Number of Acres held.	Horses.		
	Wheat.	Maize.	Barley.	Oats.	Beans & Peas.	Potatoes.	Orchard & Garden.	Fallow.	Pasture.		Male.	Female.	Boys.
The Crown	151	252	11½	4½	..	100	..	551½	80,915	82,099½	23	14	1989
The Governor	10	15	..	..	..	..	1	10	1,309	1,345	..	2	1
Lieut.-Governor Paterson ..	Administering the Government at Port Dalrymple.									100*	..	..	..
Colonel Francis Grose ..	Absent on the King's leave, and holds no ground.									..	..	..	..
Lieutenant-Colonel ..	Lieutenant-Governor.									..	..	..	..
Major Josh. Foveaux ..	In England.									..	..	..	..
Major George Johnston ..	18	..	..	..	..	2	4	130	2,682	2,834	7	16	4
<i>Captains.</i>													
Edward Abbott	2½	..	..	..	..	..	1½	..	2,027	2,031	2	5	..
Ralph Wilson .. .. .	..	..	..	..	..	..	..	..	200	200	..	..	..
Anthony Fenn Kemp ..	..	..	..	..	..	..	..	70	330	300	..	..	..
John Piper .. .. .	..	..	..	..	..	..	..	..	..	..	1	7	..
<i>Lieutenants.</i>													
John Brabyn .. .. .	..	..	..	..	..	..	..	100	200	300½	2	..	..
William Moore .. .. .	..	..	..	..	..	..	..	25½	184	208	3	1	..
William Minchin .. .. .	..	10	..	..	..	1½	1½	30	234	223	1	2	2
William Lawson .. .. .	..	..	..	..	..	..	1	30	330	361	..	..	..
Cadwallader Driffin ..	..	..	..	..	..	..	..	..	..	..	..	..	..
<i>Ensigns.</i>													
James Mason .. .. .	..	..	..	..	..	..	..	..	..	..	..	..	..
William Masters .. .. .	..	..	..	..	..	..	..	..	..	..	..	..	..
Archibald Bell .. .. .	..	..	..	..	..	..	..	..	..	..	..	..	..
Quar'r-master Thos. Laycock ..	..	20	..	..	..	2	2	200	1,430	1,655	3	..	4
Surgeon John Harris ..	..	..	..	..	..	..	2	275	2,298	2,576	1	6	3
Paymaster William Cox†	0	20	8	..	..	..	..	54	82	170	1	2	4
<i>Sydney and Parramatta Loyal Associations—</i>													
John McArthur, Captain ..	14	..	..	..	..	5	14	400	8,100	8,533	12	32	3
Thomas Moore, Lieuten't ..	Fide Civil List.									..	..	..	..
Richard Atkins, Deputy-Judge Adv.	..	..	..	..	..	..	1	..	..	1	1	..	1
John Palmer, Commissary.	223	30	45	3	½	2	6	310	1,672	2,292½	14	17	5
Will'm Gore, Provost Marshal.	..	..	..	..	..	..	..	..	..	..	..	..	..
Edm'd Griffin, Secretary ..	..	..	..	..	..	..	..	..	..	..	..	..	..
Sam'l Marsden, Chaplain† ..	12	..	10	6	½	6	7	500	2,812	2,865½	2	5	1

* Grant by Gov'r King, and purchase; w
 Note.—This return does not bear a date. The figures indicate that it belongs to the year 18

Ac., in the settlement of New South Wales, and the number of acres of
are held; the number of convicts employed and victualled by Government and
stock upon each lot respectively; also the number of settlers in the colony,
servants of Government, distinguishing the same.

Sheep.		Goats.		Hogs.		Bushels in hand of—			Family Victualled or not Victualled by Government.												Servants.									
Male.	Female.	Male.	Female.	Male.	Female.	Wheat.	Maize.	Barley.	Pro- prietor.		Wife.		Concu- bine.		Children.				Children's Servs.				Convicts.		Free.					
									On.	Off.	On.	Off.	On.	Off.	On.	Off.	On.	Off.	On.	Off.	M.	F.	M.	F.	On.	Off.	On.	Off.		
345	539	84	2,543 ¹ / ₂	7,049	863 ¹ / ₂	See Quarterly Employment.													
..	30	6	1	1	1	13						
81	170	4	8	5	11	100	..	..	1	..	..	1	..	..	6	..	..	3	3	6	5	..	..					
150	350	..	..	2	2	10	90	..	1	..	1	..	3	..	2	1	..	..	5	..	2	..	..					
..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..
..	Absent at Port Dalrymple. Commandant at Norfolk Island.														
..	..	..	..	2	2	..	..	..	1	..	1	..	4	..	1	3	..	..	1	2	..	..	..				
11	82	5	0	40	65	..	Absent at Port Dalrymple.														
60	190	8	12	..	..	..	800	..	1	..	..	1	..	..	3	..	..	2	1	1	1	..	1
..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..				
..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	1	..	..	..				
..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	2	..	..	1
237	640	..	..	8	4	50	70	..	1	..	..	1	..	..	..	..	..	..	..	..	..	..	..
56	200	..	..	5	5	..	20	8	1	..	..	1	..	..	..	..	..	..	1	5	..	3	
72	213	..	..	21	24	20	200	..	..	..	1	..	..	..	..	..	..	..	..	3	..	3	
3,000	3,400	..	..	12	10	150	800	..	1	..	1	..	5	..	3	2	..	..	30	..	10	..				
..	..	..	3	8	6	..	100	..	1	..	1	..	..	..	2	..	..	..	4	1	..	1	
504	516	..	..	45	39	800	1,200	20	1	..	1	..	1	..	1	..	..	1	..	24	..	..						
..	..	..	..	2	1	20	..	..	1	..	1	..	2	..	2	..	..	2	..	3	2	..	1
..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..
302	882	2	6	20	19	..	..	400	..	..	..	..	..	..	..	..	..	..	3	11	..	3	

Five daughters in England.

† Absent.

has, therefore, been printed with the yearly tables, although, doubtless, its true date is August, 1807.

RETURN of the number of acres

By whom held.	Number of acres in—								Total Number of Acres held.	Horses.		Horned Cattle.		
	Wheat.	Maize.	Barley.	Oats.	Rice & Peas.	Potatoes.	Orchard & Garden.	Fallow.	Pasture.	Male.	Female.	Bulls.	Cows.	Oxen.
Henry Fulton, Clergyman	..	..	..	..	..	..	..	100	100	3	..	..	2	..
Tho's Jamison, Princ'l Surgeon.	50	..	2	2	2	..	2	40	2,200	2,200	5	5	70	47
Tho's Arndell.	60	30	5	2	2	1	2	..	649½	750	5	4	10	5
D'Arcy Wentworth ..	..	..	..	..	..	..	..	70	1,140	1,219	7	2	17	9
James Milham	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Chas's Grimes, Surveyor-Gen'l.	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Augustus Alt, do	..	..	..	..	..	..	2	30	248	270	..	..	..	..
superann'd.	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Tho's Moore ..	5½	6	..	1	..	..	2½	700	1,709½	1,020	5	1	2	25
Ja's Williamson, Dep'y-Commis'y.	..	..	..	..	..	..	2	130	850	963	2	7	1	5
Robert Fitz, do	..	..	..	..	..	..	..	..	..	1	..	..	..	..
Ja's Willshire, Com'y's Clerk	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Will'm Sutton do	5	..	..	..	..	2	1	5	127	140	..	2	..	..
John Jamison, Superintendent of Govern't Stock.	..	..	..	..	..	..	..	..	200	..	1	4	1	19
Will'm Baker, Storekeeper.	..	..	..	..	..	..	..	25½	26	1	2	..	7	1
John Gowen, do	..	..	..	..	..	..	..	..	100	100	..	..	..	..
Nich's Divine, Superintendent of Convicts.	..	..	..	..	..	..	..	50½	150	210	1	..	..	..
Richard Rouse do	11	6	1	..	..	..	2	..	162½	150	1	2	..	11
<i>Naval Officers.</i>														
Lieut. John Portland*	..	..	..	..	..	..	..	..	..	..	..	..	6	..
Surgeon Edwd. Luttrell†	13	..	1	..	..	..	1	40	344	400	..	1	..	7
Captain King†	..	..	..	..	..	..	..	..	..	..	2	7	7	26½
" D. Woodriff†	..	..	..	..	..	..	..	..	1,000	This allotment let out.				
" Wm. Kent†	..	..	..	..	..	..	1	96	1,100	1,200	..	5	4	19
Lieut. Jno. Houston†	..	..	..	..	..	..	..	..	500	500	..	..	..	..
Purser Jno. Sherrard†	..	..	..	..	..	..	..	..	100	..	..	..	..	..
Assistant - Surgeon Jno. Savage,†	25	..	6	..	..	..	1	14	285	230	1	2	0	9
Assistant - Surgeon Jno. Thompson.†	..	..	..	..	..	..	..	..	..	..	..	..	..	..
<i>Settlers.</i>														
385 persons, holding various allotments up to and including 30 acres.	2,078½	1,461½	240	29½	45	89	91½	700½	1,712½	6,447½	39	49	19	69
71 ditto, from 30 to 50 acres	675½	475½	104	7½	15½	32½	42	219½	1,388½	2,066	12	11	5	25
127 ditto, from 50 to 100 do	1,221	988	152	26½	40	56½	89½	651½	6,565½	9,872½	19	21	8	66
80 ditto, from 100 to 200 do	1,153	865½	174½	16½	50	47	99	673	8,194½	11,279	34	46	7	94
20 ditto, from 200 to 300 do	298	247	26	6½	6	16½	17½	417½	3,567	4,620	14	22	3	67
22 ditto, from 300 do, and upwards.	651½	490	32	27½	17½	25	74½	1,694½	23,458	26,510½	41	60	20	656
703	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total held by settlers ..	6,685½	4,920½	667	129	131½	301½	486½	7,862½	159,379	181,366½	257	377	117½	308

* In a magistrate

of land sown, &c.—continued.

Sheep.		Goats.		Swine.		Bushels in hand of—			Family Victualled or not Victualled by Government.												Servants.																						
Male.	Female.	Male.	Female.	Male.	Female.	Wheat.	Maize.	Barley.	Pro- priator			Wife.	Concu- bine.		Children.				Children & Servants.				Convicts.		Free.																		
									On.	Off.	On.		Off.	On.	Off.	Legiti- mate.	Illegiti- mate.	Legiti- mate.	Illegiti- mate.	M.	F.	M.	F.	On.	Off.	On.	Off.																
30	118	3	4	..	1	..	1	..	3	..	1	2	2	1																			
..	..	2	8	11	200	200	1	1	6	2	..	1																			
50	180	8	12	20	23	60	180	80	1	..	1	..	4	..	2	4	8	6	..	1																			
40	250	.	.	15	15	20	50	..	1	..	..	..	1	..	..	..	..	..	..	1	3	..	2											
..	..	..	..	..	..	..	..	..	1	..	..	..	1	..	1	..	..	..	..	1	..	..	..																	
..	1	2	..	2	..	..	..	..	1	..	..	..	1	..	1	..	1	..	1	..	1	..	..																		
120	145	7	11	0	8	7	40	..	1	..	1	..	1	2	..	8	..	..	..	1	4	..	1																	
..	..	2	5	1	1	10	30	..	1	..	1	..	1	..	1	..	1	..	..	1	..	..	2																
7	35	1	8	1	..	25	100	7	1	..	1	..	1	..	..	..	..	..	..	1	1	..	3														
24	58	..	..	1	3	8	20	..	1	..	1	..	2	1	..	3	..	..	..	1	1	..	..																		
..	..	..	..	5	7	16	40	..	1	..	1	..	..	..	..	..	..	..	..	1	2	..	..																		
12	6	..	..	1	3	..	..	..	1	..	1	..	..	..	..	..	..	..	..	2	2	..	..																		
10	25	30	6	9	6	30	200	..	1	..	1	..	3	1	..	3	1	..	..	2	1	..	..																		
250	200	6	2	5	5	30	50	10	1	..	1	..	6	..	3	3	..	..	..	4	..	..	..																	
13	22	4	3	11	6	..	473	..	1	..	1	..	..	..	..	..	..	..	..	2	7	..	1												
and accounted for in settlers' muster.																						
233	128	..	..	3	2	..	20	..	..	..	..	..	..	..	..	..	..	..	..	..	2	..	1					
..	..	..	..	5	6	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..		
..																				
432	947	156	328	1232	1141	1674	15915	27	23	355	3	110	2	118	2	103	6	128	100	80	66	60	14	63	1	106																	
114	276	95	200	360	341	215	4063	8	6	60	2	29	..	10	7	50	..	31	30	36	12	9	6	31	..	32																	
607	1519	73	237	843	780	1050	13729	09	0	118	1	54	..	32	166	..	62	80	82	34	15	4	79	1	59																		
818	2022	186	399	780	671	909	9630	36	9	71	1	45	..	15	2	184	3	44	100	90	19	28	10	103	2	63																	
326	802	42	103	152	129	412	3054	00	1	19	1	13	..	2	2	54	..	6	29	27	2	2	2	31	1	28																	
1708	2987	30	123	386	505	859	6064	80	4	16	2	9	..	7	5	25	..	10	13	17	8	8	51	80	..	174																	
8062	17029	680	1461	2969	3028	9141	63386	1848	91	648	20	270	1	301	35	708	9	230	239	352	140	142	155	515	8	524																	

† Absent.

1808

1 Jan.

An address
to Bligh.

ANDREW THOMPSON TO GOVERNOR BLIGH.

Sir,

Hawkesbury, 1st January, 1808.

To be signed
by colonists
at the
Hawkes-
bury.

From a fidelity and strong attachment to your Excellency, which nothing can shake or alienate, I took the liberty of properly putting forward with the greatest energy amongst the respectable people here and other parts of the country this inclosed address, which I named some time ago as designed to strengthen your Excellency's government and confound the enemies thereof, by thus evincing to the world the popularity and high estimation in which it is held by all the respectable inhabitants of this colony. And deeming it necessary that your Excellency might know fully, in order to receive and act upon it so fully as your wisdom might see fit, when fully signed and delivered through the hands of the Resident Magistrate here, who will be solicited by the people to deliver the same to your Excellency about Monday next, which will then, I humbly hope, prove to your Excellency the full and loyal adherence of these settlements to your person and government. In this please to pardon my forward zeal, and the liberty of this private letter from, sir,*

Your Excellency's faithful, &c.,

AND'W THOMPSON.

Bligh's
farm.

P.S.—Everything at your Excellency's farm is going on well, the particulars of which and some other private matters I will, if opportunity offers, explain faithfully and fully to your Excellency by word of mouth only, having no greater gratification or ambition in the world than essentially serving your Excellency.—A.T.

[Enclosure.]

SETTLERS'S ADDRESS TO GOVERNOR BLIGH.

New South Wales, 1st January, 1808.

May it please Your Excellency,

Bligh's
beneficent
rule.

We, the undersigned, free and principal proprietors of landed property, and inhabitants of the rising and extensive colony of New South Wales, beg leave, on the beginning of another year, to approach your Excellency and express the fullest and unfeigned sense of gratitude for the manifold, great, and essential blessings and benefits we freely continue to enjoy from your Excellency's arduous, just, determined, and salutary government over us, happily evinced by the present plenteous and flourishing state of this country, rapidly growing in population, opulence, and all improvements calculated by a wise and patriotic government to make a large colony of people happy and rich in all their internal resources. And, while enjoying such inexpressible

* In his evidence, under cross-examination at the trial of Lieutenant-Colonel Johnston, Bligh volunteered the following statement:—"I knew nothing of the transaction till the address was presented to me; I only knew it as Governor, whose dignity would not suffer him to interfere in a thing of that sort till it was brought before him." It may be that Thompson's letter never reached Bligh (see *The Trial of Lieutenant-Colonel Johnston*, p. 52). This letter bears out Macarthur's evidence at the above trial, in which he stated (*ib.*, p. 186) that Andrew Thompson had been very active in obtaining signatures. Macarthur alleged that the address was framed by George Crossley. Cf. the addresses to Johnston of 30th January and 8th March, post, pp. 458 and 534.

benefits from year to year under your Excellency's auspicious and benign government, we feel and hold ourselves gratefully bound, at the risque of our lives and properties, at all times, as liege subjects, to support the same, and ever prove ourselves worthy of a continuation of your protection, attention, and encouragement during your Excellency's gracious government over us, which may God long continue. Yet, although your Excellency's unwearied zeal for the public welfare is so fully exhibited and its effects so sensibly felt by all ranks of people, and that there are no inconveniences under which we labour that you would not redress, were it in your power—which we doubt in these two cases are not, else they had been remedied by your wisdom ere this—and therefore humbly solicit your Excellency, in your goodness, that, from your local knowledge and general observations—should you not deem it improper—to make representation to His Majesty in Council that he might be graciously pleased to allow such privilege of trade to their country vessels and themselves as other colonies have, and that the law might be administered by trial by jury of the people, as in England. Although elaborate explanations might be made on these subjects, and the greatest difference shewn, from the time the Regulations were appointed for securing a small colony of prisoners planted on these shores, compared with the extensive rising greatness and enterprising spirit of the colonists over which your Excellency now happily governs; but these discussions to you would be needless, as your Excellency, in your extensive researches, has minutely examined the whole country, its maritime and inland trade, stock, agriculture, manufactures, arts, and resources, and its inhabitants, house by house; therefore, we rest our welfare and desires in the fullest confidence for you, in your wisdom and goodness, to direct. And, praying a long continuance of your Excellency's happy and benign Government,

1808

1 Jan.

Settlers will support him at risk of lives and property.

Free trade.

Trial by jury.

Bligh's knowledge of the colony.

We* remain, sir, &c.

JOHN MACARTHUR TO GOVERNOR BLIGH.

(Colonial Secretary's Papers.)

Sir,

Parramatta, 1st January, 1808.

I did myself the honor to address a memorial to your Excellency on the 29th ultimo,† containing the particulars of a claim I have upon the Judge-Advocate, Richard Atkins, Esq're, for a debt of £82 9s. 5d. that I cannot induce him to pay, and praying that your Excellency would be pleased in some manner to interpose your authority in my behalf, or to cause a Court of Civil Jurisdiction to be constituted with power to compel the said Judge-Advocate to answer my demand according

Atkins's indebtedness to Macarthur.

* This was signed by 833 persons. Among them were:—R'd Atkins, J.-A.; R. Campbell, J.P.; Thos. Arndell, J.P.; John Palmer, J.P.; T. Hobby, J. Harris, N. Divine, H. Fulton, A. Thompson, W. Gore, T. Moore, W. Fulton, R. Hassall, R. Fitz, T. M. Pitt, J. Bowman, Geo. Crossley.

† Ante, p. 395.

1808
1 Jan. to law. In reply thereto I yesterday received a letter from your Excellency's secretary, acquainting me that a Court of Civil Jurisdiction is open to take cognizance of all civil actions, and that my memorial will be further answered by the Judge-Advocate.

An invidious position. From this, I understand it is your Excellency's opinion that I ought to apply to the present Court of Criminal Jurisdiction, of which the person I am aggrieved by, is Judge, and to call upon Mr. Atkins to issue a writ to bring himself before himself to answer my complaint.

This, sir, I hope I shall be excused for saying, would be a proceeding so novel—would be so extremely opposite to the practice of every court of law, and, in my humble opinion, so entirely inimical to the principles of natural justice and equity—that I take the liberty to entreat your Excellency will be pleased to give my memorial a reconsideration; for I persuade myself that you will then see the propriety of the request it contains, and that you will be induced to grant me an opportunity of establishing my claim before an impartial and disinterested tribunal.

I have, &c., J. MCARTHUR

EX-GOVERNOR HUNTER TO SECRETARY POLE

7 Jan. Sir, No. 40, Cornhill, 7th January, 1808.

Hunter volunteers for active service. I have to request you will do me the honor of laying before their Lordships an offer of my services, wherever or in whatever way their Lordships shall consider my endeavours likely to be beneficial to the public service. I have never indulg'd in an inactive life; I am therefore the more particularly desirous of some employment.

I have, &c., JNO. HUNTER,
Rear-Admiral of the Blue.

JUDGE-ADVOCATE ATKINS TO JOHN MACARTHUR.
(Colonial Secretary's Papers.)

10 Jan. Sir, 10th January, 1808.

Atkins replies to Macarthur. Through the favor of His Excellency the Governor, I have been furnished with two communications of yours—the one under the shape of a memorial and the other under that of a letter—on the subject of a bill drawn by me on my brother, Lieutenant-Colonel Bowyer, of nigh 15 years' standing. Sir, that bill comes to me in a very questionable shape (all its circumstances considered), no protest having yet been produced; but, let that be as it may, I cannot consider it at present (under the point of view you stand, to take your trial at the next Criminal Court) as an object for discussion. I must, therefore, decline entering on this or any other subject until after that period, our relative situations not admitting it.

I am, &c., RICH'D ATKINS

P.S.—It never was, nor is it now, my intention of availing myself of the Statute of Limitations, as my letters will show.

JOHN MACARTHUR TO GOVERNOR BLIGH.
(Colonial Secretary's Papers.)

1808

Sir,

Parramatta, 12th January, 1808.

12 Jan.

I take the liberty to enclose you the copy of a letter I received yesterday from the Judge-Advocate, that I conclude from the manner in which your Excellency's name is introduced may be intended as an answer to the letter I had the honor to write you on the 1st inst.

Macarthur
addresses
Bligh.

What Mr. Atkins can mean I am unable to conjecture, by saying the bill I hold "comes in a very questionable shape (all its circumstances considered), no protest having yet been produced"; but for the satisfaction of your Excellency I beg leave to state that when the bill was first presented for payment it was, on being dishonoured, regularly noted, and sent back to this colony by Capt'n Brookes. Mr. Atkins, however, instead of shewing any solicitude to get rid of such a disagreeable testimony, had the address to persuade Capt'n Brookes that if the bill was again presented to his brother it would be paid; and to give the greater probability to the assurance he wrote a declaration to that effect and signed it officially as Judge-Advocate. The bill was, in consequence, taken again to England, but unhappily met with the same fate it had done at first.

Atkins's
debt.

A dis-
honored bill.

On my return here in 1805 I communicated this unpleasant event to Mr. Atkins, and I received a written assurance that the bill should soon be paid. More than two years have expired since that promise was given, and I am now, in lieu of payment, told that a bill drawn near 15 years cannot be considered "at present," because I am to take my trial at the next Criminal Court.

If this withholding from me my money be intended by the Judge-Advocate as a sort of precursor of a more severe vengeance that he is meditating at this threatened trial, and if your Excellency should continue to sustain his refusal to pay me by not allowing me to prove my claim before a disinterested tribunal, I must submit with patience; nor will I any further trouble your Excellency upon the subject until there may be an opportunity to send, with your dispatches, a memorial to His Majesty's Secretary of State for the Colonies. I have, &c., JNO. MCARTHUR.

Macarthur
will appeal
to Downing-
street.

SURVEYOR-GENERAL GRIMES TO JOHN MACARTHUR.

13th January, 1808.

13 Jan.

I AM directed by Governor Bligh to inform you that he has particular orders respecting the ground contiguous to the Church; * that he cannot allow any person to build near it; that he is sorry to inconvenience Mr. McArthur, but that any situation he may fix on to an equal extent the Governor will allow him to occupy it, or that he may await the decision of His Majesty's Ministers on his claim to his present lease.

Macarthur
not to build
on lease
on Church
Hill.

C. GRIMES,

Surveyor-General.

* See the plan of Sydney enclosed with Bligh's letter of 31st October, 1807, ante, p. 303. The allotment was situated on Church Hill, and is numbered 77 on the plan referred to.

1808

JOHN MACARTHUR TO SURVEYOR-GENERAL GRIMES,

13 Jan.

13th January, 1808.

Macarthur
reluctantly
resigns land
to please
Governor ;

MR. MCARTHUR desires Mr. Grimes to have the goodness to make his respects to His Excellency the Governor and acquaint him, in answer to the message he has done him the honor to send him respecting the lease Mr. McArthur holds contiguous to that of Col. Paterson's, that it has given Mr. McArthur inexpressible concern to learn that his occupation of it should be obnoxious to His Excellency, or in opposition to the instructions of His Majesty's Ministers. Distressing, however, as the abandonment of such an allotment of land will be, and highly injurious as Mr. McArthur feels it must be to his interests, yet, rather than it should appear as if he were disregarding of the wishes and instructions of persons entitled to his highest respect, Mr. McArthur consents to make the sacrifice required from him, with no other condition than that the Governor will be pleased to grant him the lease of an unoccupied piece of ground, not equal in extent to his own, situate between a lease of Mr. Jamieson's and one of William Blake's.*

and offers
to accept
another
piece.

JOHN MCARTHUR.

ANSWER TO THE ABOVE.

13th January, 1808.

The land not
available.

IN answer to your wish to have the situation between Mr. Jamieson's and Wm. Blake's leases, I have to inform you, from the Governor, that that spot is occupied by the Government boat's crews and cannot be located.†

CHARLES GRIMES,
Surveyor-General.

CAPTAIN JOSEPH SHORT TO SECRETARY POLE.

Sir, Devereux Court, Strand, 13th January, 1808.

I am to request you will be pleased to lay the inclosed memorial before my Lords Commissioners of the Admiralty, and am to solicit they will have the goodness to grant its petition.

I am, &c,

JOSEPH SHORT.

* This block of land was situated on the eastern side of George-street (then known as High-street), contiguous to the public wharf and opposite the market place. The allotments on either side of it are numbered 71 and 72 on the plan published with Bligh's letter of 31st October, 1807, ante, p. 366.

† Macarthur stated at the trial of Lieutenant-Colonel Johnston, that he pointed out two other sites (the localities he did not mention), both of which were entirely unoccupied, and which he was willing to accept, to avoid any altercation. Grimes, however, informed him that Bligh had pointed out a spot at the end of Pitt-row where he could build ; but Macarthur refused to take it in return for the lease he held on Church Hill. It was situated "at the end of Pitt's-row, a place where the common gallows had stood, and which was surrounded by all the vile and infamous characters of the town of Sydney." (The place of execution to which Macarthur referred used to be near what is now the intersection of Market and Elizabeth Streets.)

[Enclosure.]

1808

13 Jan.

Memorial of Captain Joseph Short, late of His Majesty's ship Porpoise,—
ewith :

That in April, 1805, Lord Melville appointed him to the command of that ship, at which time* no idea was entertained of

W'm Bligh going out as Governor to New South Wales. Land grant to Short.
after, Lord Camden gave him a grant of 600 acres of land in the colony, with the liberty to purchase a certain number of cattle and other indulgencies, and their Lordships granted him permission to take his family, of a wife and seven children, out in the

In consequence, he sold a small estate he had at Ware, in Hertfordshire, and settled all his affairs in this country, meaning to establish his family as settlers at Port Jackson. He at the same time purchased a number of implements of husbandry, and other things proper for such an occasion. But in Septemb'r, the same

Capt'n W'm Bligh was appointed first Captain of the Porpoise. Bligh's naval appointment.
but had their Lordships liberty to take his passage out to New South Wales, where he was appointed Governor, in the Lady

air, transport, which ship Captain Short had orders to take with his convoy to Port Jackson. In the same letter he was directed by their Lordships to put himself under the command of W'm Bligh on his arrival there, they having informed him by their secretary that Capt'n Bligh was absent on board the Sinclair with leave, he was, of course, checked on the Porpoise's books. Capt'n Short had also their Lordships directions to take the Woolwich store ship under his orders as far as the Cape of

Hope; for all which Capt'n Bligh persisted in giving Capt'n Short orders from the Sinclair which if he had at any time complied himself in obeying, and any accident had happened to the ship under his orders, the whole blame must have fallen on him. Disputes between Bligh and Short.

W'm Bligh also hoisted a broad pennant at the Cape on board the Sinclair, and gave Capt'n Short orders to obey all orders and commands made by him from that ship. As the whole of these circumstances have been laid before their Lordships some time

Capt'n Short will enter no further into them, but begs to rely on his honor that his opposition to the wishes of Capt'n Bligh was founded on what he considered strictly the rules of naval service; and had he done otherwise he should have thought himself amenable to a Court-Martial for committing the honor of His Majesty's ship he then commanded. Had he consulted his private views, and the interest of his family, he would have acted differently; but he has ever considered, as he has repeatedly told W'm Bligh in his letters, that "an officer who would neglect his duty to serve his private interests was no longer worthy to hold

* It was evidently not aware that Banks offered Bligh the Governorship in March, 1805. December, 1807 (ante, p. 402), Bligh was directed to make out Short's land grant

1808
18 Jan. a commission in His Majesty's Navy." On Capt'n Short's arrival at Port Jackson, Gov'r Bligh would not give him the land or other indulgences order'd by Government. The colony was at that time nearly starving for bread. Capt'n Short has, with the above family, together with a maid-servant which he took out with him, had no other allowance than one pound of bread—his own and his son's half pound each—to subsist on for the day. He has repeatedly seen his children cry for bread. At times a loaf made from the sweepings of the granarys, of two pounds weight, was to be bought for 5 shillings—scarcely eatible. The circumstances which took place between Capt'n Bligh and Capt'n Short having been laid before their Lordships, he will not intrude on their time by repeating them, but begs to say that the great disappointment himself and family experienced at Port Jackson had such an effect on the health of his wife that she died shortly after the *Buffalo* (in which she had embarked with her family) sailed for England, whereby he lost a most amiable companion and his children the tenderest of mothers. Capt. Short begs to say he has lost a great deal of property owing to the unfortunate circumstance of being removed from the command of his ship, and that he has at this time upwards of £800 worth of bills taken for articles, as mentioned in S'r Isaac Coffin's letter, protested. Under these accumulated hardships, Capt'n Short solicits their Lordships to take into consideration this memorial, together with Rear-Adm'l S'r Isaac Coffin's letter,* wrote by desire of the members of his Court-Martial, and promote him to the rank of post-captain, which would be highly gratifying to himself, and convince his friends of their Lordships' approbation; and if their Lordships will extend their goodness by appointing him to the Sea Fencibles he may have an opportunity of again establishing his family in comfort. Capt'n Short has been upwards of 32 years in His Maj's Navy, and has been a commander since Sept'r, 1793.

Rations at Sydney.

Death of Short's wife.

Short asks for promotion.

Should their Lordships be pleased to comply with the above petition, your memorialist will by every exertion in his power strive to prove himself worthy this mark of attention.

JOSEPH SHORT,
Late 2nd Captain of His Majesty's Ship *Porpoise*.

SURVEYOR-GENERAL GRIMES TO JOHN MACARTHER.

14 Jan. 14th January, 1808.

The Governor's ultimatum.

GOVERNOR BLIGH has desired me to say that he cannot locate either of the three situations you have fixed upon, and that the Governor will not allow you to build on your lease, or make any erections, until the Governor may receive orders respecting that spot from England; and that the Governor will not receive any letters upon the subject from you.†

C. GRIMES,
Surveyor-General.

* Ante, p. 388.

† Previous correspondence, ante, p. 413, 414.

JOHN MACARTHUR TO SURVEYOR-GENERAL GRIMES.

1808

14th January, 1808.

14 Jan.

MR. MCARTHUR is extremely sorry to learn from Mr. Grimes that neither of the three situations he has pointed out as eligible to be taken in exchange for his town lease is approved of by His Excellency the Governor. Mr. McArthur examined the town with great attention, and can see no other situation unoccupied than those he has named, except in quarters exceptionable from the class of persons occupying them. On these accounts Mr. McArthur has nothing further to propose, but will beg leave to retain the lease of which he is now already possessed.

Macarthur
will retain
his lease.

JNO. MCARTHUR.

MRS. BLIGH TO SIR JOSEPH BANKS. (Banks Papers.)

Dear Sir,

Durham Place, 14th January, 1808.

We have been lately distressed by reports that have been brought to us of Capt. Bligh's being superseded in his Government, and have many enquiries from friends requesting to know if it is true. I myself look upon it as a report spread by a party among the Navy people, who have made a handle of the artful falsehoods which were made use of on Capt. Short's trial. To see him safe home would be a happiness to his family; at the same time, to have him recalled with indignity, to gratify a faction, would be very mortifying to him and us. As I trust, dear Sir Joseph, no measures relating to him can have taken place without their having consulted you, it would be a great addition to the many obligations we already lay under to you if, when you are at leisure, you would write me a few lines informing me what is really the true state of this matter. I have been sorry to learn that Capt. Kent, who we thought a friend, has taken a very active part in Capt. Short's business, and is spreading reports prejudicial to Capt. Bligh. I believe he has not forgiven Capt. Bligh's refusing to assent to a foolish scheme of his of being sent out as Governor's assistant.* As he gives it out that he is now detained and solicited to accept of a very important employment in the colony, viz., the selecting and superintending the sending Home of timber for the use of Government, I mention this to you, foreseeing that he will give Gov'r Bligh every vexation and obstruction he can have in his power, being thoroughly versed in all the irritating and vexatious ways that were made use of to torment the unfortunate Governor who lately came Home. As your great mind can foresee everything that may happen between them, such as his demanding the labour of convicts when Bligh may have them employed in the public works, &c., &c., I beg, dear sir, that in all arrangements, in which

Rumours
concerning
recall of
Bligh.

Captain
Kent.

* See Kent to Banks, 4th March, 1806, ante, p. 25.

1808

14 Jan.

—
Banks's
friendship
for Bligh.

doubtlessly you will be consulted, you will continue your kind friendship to Bligh, and shield him as much as possible from such things, as his situation will certainly be trying.

We all beg leave to present our affectionate and most grateful compliments to you ; and am, dear sir,

Yours, &c.,

ELIZABETH BLIGH.

JOHN MACARTHUR TO JUDGE-ADVOCATE ATKINS.

(Colonial Secretary's Papers.)

20 Jan.

Sir,

Sydney, 20th January, 1808.

I learn from your letter of yesterday's date* to G. Blaxcell Esq're, that a Criminal Court is to be assembled on the 25th inst. before which I am to be brought, and that I have to subpoena my evidences through the Provost-Marshal.

Macarthur
asks for copy
of indict-
ment.

As I am yet in ignorance of the nature of the accusation you may have to prefer against me to the Court, I presume you will see the necessity of immediately furnishing me with a copy of the intended indictment or information, to which, as you, sir, are well aware, I am entitled by law.

I am, &c.,

JOHN MACARTHUR.

JUDGE-ADVOCATE ATKINS TO JOHN MACARTHUR.

(Colonial Secretary's Papers)

Sir,

20th January, 1808.

Atkins
refuses.

As I am certain you are not, by law, entitled to a copy of your indictment or information, at least in the present stage of the business, you will excuse my not complying with your request

I am, &c.,

R'D ATKINS, J.-A.

JOHN MACARTHUR TO JUDGE-ADVOCATE ATKINS.

(Colonial Secretary's Papers.)

Sir,

20th January, 1808.

Macarthur
ignorant of
the charges
to be
brought
against him.

As you say you are certain I am not entitled, by law, to a copy of the indictment or information against me in the present stage of the business, will you be pleased to acquaint me with the means by which I am to discover what evidences I shall require to disprove an accusation, the particulars of which it is thought prudent to conceal from me—I say, thought prudent ; for, to balance your certainty, sir, by another, I am certain your refusal to grant my request is illegal, and such as you cannot justify. I therefore hereby repeat the request.

I am, &c.,

JOHN MACARTHUR.

* This letter is not available.

JUDGE-ADVOCATE ATKINS TO JOHN MACARTHUR.

1808

(Colonial Secretary's Papers.)

Sir,

20th January, 1808.

20 Jan.

In answer to your second letter, I have only to refer you to my answer of your first letter, and to add that your indictment or information is not for high treason. I am, &c.,

Atkins will
give no infor-
mation.

R'D ATKINS, J.-A.

JOHN MACARTHUR TO JUDGE-ADVOCATE ATKINS.

(Colonial Secretary's Papers.)

Sir,

20th January, 1808.

As you repeat your first answer, and continue to refuse me a copy of the indictment or information, I also must repeat my last question, "By what means am I to discover what evidences I shall require to disprove an accusation, the particulars of which it is thought prudent to conceal?"

Macarthur
repeats his
request.

I am thankful for the assurance you have given that I am not to be tried for high treason, as you well know, sir, I had too much cause to apprehend it might be intended (that dreadful crime having been publicly charged against me by the Provost-Marshal in the name of His Excellency the Governor); but whether I am to be tried for treason or a misdemeanor, with all due deference to your superior legal knowledge, I maintain that I am entitled to a copy of the indictment or information, in either case; and I take the liberty to say, if you will condescend to consult your law authorities, that you will discover trials for misdemeanors are never brought on (unless by consent of parties) until the next assizes or sessions after the indictment or information has been exhibited.

Entitled to a
copy of the
indictment.

I am, &c.,

JOHN MCARTHUR.

JOHN MACARTHUR TO GOVERNOR BLIGH.

Sir,

Sydney, 22nd January, 1808.

22 Jan.

I have been apprized by a letter from the Judge-Advocate to G. Blaxcell, Esq., that I am to be brought before a Criminal Court on Monday, the 25th instant, and I have also learnt that the members of that Court have been nominated without any notification of your Excellency's intention to appoint for the time-being a Judge-Advocate to preside at my trial who is not interested in the event. I should, therefore, be wanting in justice to myself if I neglected to protest against Richard Atkins, Esq., being suffered to sit as the Judge at the impending trial.

Macarthur
challenges
the Judge-
Advocate.

The reason on which I found my objection is because that gentleman is deeply interested to obtain a verdict against me, in so much that, should he fail of so doing, he, in the ordinary course

An inter-
ested party

1808

14 Jan.

Banks's
friendship
for Bligh.

doubtlessly you will be consulted, you will continue your kind friendship to Bligh, and shield him as much as possible from such things, as his situation will certainly be trying.

We all beg leave to present our affectionate and most grateful compliments to you ; and am, dear sir,

Yours, &c.,

ELIZABETH BLIGH.

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(Colonial Secretary's Papers.)

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Macarthur
asks for copy
of indict-
ment.

As I am yet in ignorance of the nature of the accusation you may have to prefer against me to the Court, I presume you will see the necessity of immediately furnishing me with a copy of the intended indictment or information, to which, as you, sir, are well aware, I am entitled by law.

I am, &c.,

JOHN MCARTHUR.

JUDGE-ADVOCATE ATKINS TO JOHN MACARTHUR.

(Colonial Secretary's Papers)

Sir,

20th January, 1808.

Atkins
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I am, &c.,

R'D ATKINS, J.-A.

JOHN MACARTHUR TO JUDGE-ADVOCATE ATKINS.

(Colonial Secretary's Papers.)

Sir,

20th January, 1808.

Macarthur
ignorant of
the charges
to be
brought
against him.

As you say you are certain I am not entitled, by law, to a copy of the indictment or information against me in the present stage of the business, will you be pleased to acquaint me with the means by which I am to discover what evidences I shall require to disprove an accusation, the particulars of which it is thought prudent to conceal from me—I say, thought prudent ; for, to balance your certainty, sir, by another, I am certain your refusal to grant my request is illegal, and such as you cannot justify. I therefore hereby repeat the request.

I am, &c.,

JOHN MCARTHUR.

* This letter is not available.

JUDGE-ADVOCATE ATKINS TO JOHN MACARTHUR.

1808

(Colonial Secretary's Papers.)

Sir,

20th January, 1808.

20 Jan.

In answer to your second letter, I have only to refer you to my answer of your first letter, and to add that your indictment or information is not for high treason. Atkins will give no information.

I am, &c.,

R'D ATKINS, J.-A.

JOHN MACARTHUR TO JUDGE-ADVOCATE ATKINS.

(Colonial Secretary's Papers.)

Sir,

20th January, 1808.

As you repeat your first answer, and continue to refuse me a copy of the indictment or information, I also must repeat my last question, "By what means am I to discover what evidences I shall require to disprove an accusation, the particulars of which it is thought prudent to conceal?" Macarthur repeats his request.

I am thankful for the assurance you have given that I am not to be tried for high treason, as you well know, sir, I had too much cause to apprehend it might be intended (that dreadful crime having been publicly charged against me by the Provost-Marshal in the name of His Excellency the Governor); but whether I am to be tried for treason or a misdemeanor, with all due deference to your superior legal knowledge, I maintain that I am entitled to a copy of the indictment or information, in either case; and I take the liberty to say, if you will condescend to consult your law authorities, that you will discover trials for misdemeanors are never brought on (unless by consent of parties) until the next assizes or sessions after the indictment or information has been exhibited. Entitled to a copy of the indictment.

I am, &c.,

JOHN MACARTHUR.

JOHN MACARTHUR TO GOVERNOR BLIGH.

Sir,

Sydney, 22nd January, 1808.

22 Jan.

I have been apprized by a letter from the Judge-Advocate to G. Blaxcell, Esq., that I am to be brought before a Criminal Court on Monday, the 25th instant, and I have also learnt that the members of that Court have been nominated without any notification of your Excellency's intention to appoint for the time-being a Judge-Advocate to preside at my trial who is not interested in the event. I should, therefore, be wanting in justice to myself if I neglected to protest against Richard Atkins, Esq., being suffered to sit as the Judge at the impending trial. Macarthur challenges the Judge-Advocate.

The reason on which I found my objection is because that gentleman is deeply interested to obtain a verdict against me, in so much that, should he fail of so doing, he, in the ordinary course An interested party

1808

22 Jan.

—

Macarthur
asks for an
impartial
Judge.

of things, must inevitably descend from the proud character of a prosecutor to the humble and degraded one of a prisoner, called upon to defend himself at the very bar to which he is about to drag me, for the false imprisonment I have suffered under the authority of his illegal warrant.

On this ground it is, sir, that I do solemnly protest against the said Richard Atkins, Esq., as a Judge upon my trial; and, with all due deference to your Excellency, that I require, as my lawful right, that an impartial Judge may be appointed to discharge the duties of that sacred office.

I have, &c.,

JOHN MCARTHUR.

SECRETARY GRIFFIN TO JOHN MACARTHUR.

Government House, Sydney,

Sir,

22nd January, 1808.

His Excellency has directed me to acknowledge the receipt of your letter of yesterday's date, protesting against Richard Atkins, Esq., Judge-Advocate, as Judge upon your trial.

The law
must take its
course.

Mr. Atkins being the Judge appointed by His Majesty, and the only person having the power to sit as a Judge in the Courts in this territory, His Excellency directs me to give you for answer that the law must take its course, as he does not feel himself justified to use any interference with the executive power as by His Majesty appointed.

I am, &c.,

EDMUND GRIFFIN,

Secretary.

COMMANDER FLINDERS TO SIR JOSEPH BANKS.

Wilhelms Plains, in the Isle of France,

24 Jan.

Sir,

24th January, 1808.

Flinders
still a
prisoner.

It is with infinite regret that I have still to inform you of my detention here, notwithstanding the arrival of orders from the French Government to set me at liberty, as I had the honour of announcing to you on August 12, 1807.* The Captain-General here has not thought proper to execute the order he has received, but he restored to me some time since the whole of my books and papers taken from me except my last journal; and on 1st Sept. I put on board the Wellesley, cartel, all the letters I had received at Port Jackson to your address, and they went to India in October, with a prayer to Sir Edward Pellew that he would forward them to England. A friend of mine, a Swiss, to whom I had intrusted many letters for India, was to have embarked in the cartel, but was prevented by this Government when on the eve of sailing; and after some other little intrigues, the General at length accomplished the seizure of my letters in which he doubtless hoped to find some information injurious to the island that should be a sufficient authority for him to put aside the order he had received,

His books
restored.

His letters
seized.

* Not available.

and reinstate me prisoner afresh. You will readily conceive, Sir Joseph, that he was disappointed ; but he would find an exposition of his injustice towards me in these letters sufficient to re-excite his extreme irritability, if indeed it had ever been appeased. Three months are elapsed since the seizure, and no mention of the contents of these letters has been made to me by the Government, nor any change taken place in my situation.

1808

24 Jan.

In my letter to Mr. Marsden,* which accompanies this, I have inclosed a copy of the last letter written to this Government, in which, Sir Joseph, I trust you will see how careful I have been to give no cause for not putting the order to set me at liberty in execution. As I believe that the General's present conduct is intended to force me into condescensions unworthy of my situation, or of me, in order to obtain liberty, or otherwise draw from me some violent language that should serve him as a pretext to continue my detention, I am upon my guard ; and since that letter produced no effect, I have adopted the sole line of conduct which prudence and a proper regard to my situation leave open to me—that of preserving silence.

The French
General's
policy.

When the Wellesley was ordered to sail, Mr. Stock, the Commissary of Prisoners, made a pressing application for me to embark with him, to which it was answered "*qu'aussitôt que les circonstances le permettront, cet officier (meaning me) sera mis en liberté, et envoyé à cet effet à Londres*" ; from which I judged that the General would keep me here until an occasion of sending me direct presented itself ; but unless one should be created expressly, no such occasion can be expected during the war. More than three months are elapsed since this order was given.

Waiting a
convenient
opportunity.

By giving me a copy of the Marine Minister's letter which ordered my liberation, the General avowed the authenticity and sufficiency of the order, and the letters I have from the Chef D'état Major announce that the only cause of this order not being put in execution is the want of a convenient opportunity. I am, therefore, free by the orders of the Government ; and since the Captain-General will not make use of any of the numerous occasions that have offered for America and India, and even for France, I think I ought, notwithstanding my parole given in August, 1805, search an occasion for myself. The loss of the Cumberland to the Government, and of my journal to myself, which would probably be the case should I withdraw myself privately, have partly kept me ; but it is impossible to remain here for ever. I have already suffered four years of misery and inaction, but they must have an end.

The
Minister's
order for
Flinders's
release.

My sole hope of being publicly set at liberty is from La Semillante frigate now preparing for sea. After her departure, I am determined to embrace the first opportunity of getting to India or to America that presents itself, for to hope that the animosity of

Prospects
and inten-
tions of
escape.

* W. Marsden, Secretary to the Admiralty.

1808
24 Jan. General De Caen will some time cease would be fruitless. The want of a convenient opportunity is only a pretext to keep me, and it is very uncertain whether he would not find some other, perhaps equally frivolous, to evade the execution of a second order, should the Minister of the French Marine even send one.

I have only to add my best wishes for your health, and that you will continue to believe me, Sir Joseph.

MATTHEW FLINDERS

THE TRIAL OF JOHN MACARTHUR. (Colonial Secretary's Papers.)

PROCEEDINGS of a Court of Criminal Jurisdiction assembled at Sydney, in New South Wales, under the authority of His Excellency Governor Bligh's precept, bearing date the 20th January, 1808.

25 Jan. Sydney, New South Wales. 25th January, 1808.

Members.—The Judge-Advocate: Capt. Anthony Fenn Kemp, Lieut. John Brabyn, Lieut. William Moore, Lieut. Thomas Laycock, Lieut. William Minchin, Lieut. William Lawson, New South Wales Corps.

The trial of John Macarthur.

THE precept read and members sworn by the Judge-Advocate. John MacArthur, Esq., the prisoner at the bar, addressed the Court, praying that he might be allowed to state an objection to Richard Atkins, Esq., the Judge-Advocate, sitting as judge on his trial, which the members of the Court, considering it but justice due to the prisoner, have required his objections to be stated previous to the Judge-Advocate being sworn. The prisoner read the paper marked A (*infra.*), and solemnly protests against the said Richard Atkins being allowed to take his seat as judge on his trial, for the reasons therein stated. The Court having taken the same into their mature and deliberate consideration, are of opinion that the objections set forth in the prisoner's protest are good and lawful objections to Richard Atkins, Esq., sitting on his trial, and feeling themselves bound to state their opinion to His Excellency the Governor on the subject do therefore state as follows:—*

His protest against Atkins upheld.

Sir, Court-house, 11.15 a.m., 25th January, 1808.

The officers inform Bligh.

We, the officers composing the Court of Criminal Jurisdiction this day assembled, beg leave to state to your Excellency that a right of challenge, as per paper A (*infra.*), has been demanded by the prisoner now before us to Richard Atkins, Esq., sitting as judge on his trial, which we have, after mature and deliberate consideration, agreed to allow as a good and lawful objection. We, therefore, submit to your Excellency to determine on the propriety of appointing another Judge-Advocate to preside on the present trial. We further pray your Excellency's protection in the execution of our duty, having been grossly insulted and threatened by Richard Atkins, Esq., with a seeming view to deter us in our legal proceedings.

We have, &c.,

[Signed by the six Officers.]

[ENCLOSURE MARKED "A"].

To the Members of the Criminal Court.

Gentlemen,

Macarthur on trial.

It will, I am convinced, excite your surprize, as I think it must that of every impartial man, to hear that I am brought a prisoner to this bar, utterly unacquainted, except from rumour, of the nature of the accusation against which I am to defend myself.†

* See Bligh's account of the proceedings at the Court on the occasion of Macarthur's protest, post, p. 613 (30th April, 1808); and also that of Gore, post, p. 554.

† See the indictment which it was intended to exhibit against Macarthur, post, p. 465.

Such, however, is the fact ; for although I have made three written applications* to the Judge-Advocate for a copy of the indictment or information, I have not been able to obtain it.

1808

25 Jan.

In this unprecedented situation, and having been informed that the charge against me has been founded on certain events, which originated in the illegal and arbitrary conduct of the Judge-Advocate, as exemplified in the correspondence and warrants, I did consider it prudent, and a piece of justice I owed to the community, to protest† against Richard Atkins, Esq., being appointed to sit as a judge on a trial where he is so much interested, and in which his own security is so materially involved.

Macarthur
protests
against the
Judge-
Advocate.

To prevent unnecessary delay and other consequences that I apprehended, I did, in a letter to His Excellency Governor Bligh, protest against the Judge-Advocate, and respectfully required that a disinterested person might be appointed to preside at my trial. To this His Excellency was pleased to answer that "the law must take its course, as he does not feel himself justified to use any interference with the executive power," by which I suppose is meant the judicial authority, as I humbly conceive His Excellency's own power must be the executive.

Bligh refuses
to interfere.

Defeated in this attempt to obtain what I knew to be my lawful right, my only alternative is to resort to the members of this Court ; and I do so under an entire confidence that whatever I can prove to be my right, you, as men of honor, will grant me.

Macarthur
appeals to
the Court.

To you, then, gentlemen, I appeal, and now solemnly protest against Richard Atkins, Esq., being allowed to take his seat as one of my judges on this trial.

To support this protest, my first objection is because there is a suit pending betwixt us for the recovery of a sum of money that he unjustly withholds, and, as he is screened from the operation of the law, is to be submitted to His Majesty's Ministers.

His first
objection.

My second objection is because I can prove he has for many years cherished a rancorous inveteracy against me, which has displayed itself in the propagation of malignant falsehoods, and every act of injustice that can be expected to proceed from a person armed with powers against a man whose life and conduct is, I trust, a public satire on his own.

His second
objection.

My third objection is because I have been long the object of his vindictive malice, in consequence of my having been called as an evidence to support an accusation made against him by John Harris, Esq., that he was a swindler.

His third
objection.

My fourth objection is because he has associated and combined with that well-known dismembered limb of the law, George Crossley (and others of a wicked mind, though not quite so notorious) to accomplish my destruction. In proof of this charge I have evidence to prove that Crossley has prepared the informations to be produced on this trial, and has arranged the whole plan of the evidence, he being considered to be eminently qualified to conduct that part of the business, from his past extensive practice in that particular branch of legal knowledge. I have also proof in my hand, in the writing of the veteran practitioner, Crossley, which will convince the most sceptical mind that other schemes have been agitated to deprive me of my *property, liberty, honor, and life*. Here it is, gentlemen.‡ Read it ; and after, read the proceedings of a Bench of Magistrates ; and you will see that, for presuming to complain of a most unlawful seizure of my property (which the Judge-Advocate joined in reprobating), it has been determined to ruin me. This precious document came into my hands, as it were, by the

His fourth
objection.

The
influence of
Crossley.

* See Macarthur's three letters to Atkins of 20th January, 1808, ante, pp. 418, 419.

† See Macarthur to Bligh, 22nd January, 1808, ante p. 419, and Bligh's reply, through his Secretary, of same date, ante, p. 420.

‡ This was the MS. draft of the indictment to be preferred against Macarthur.

1808

25 Jan.

Macarthur's
fifth objec-
tion.

interposition of Divine Providence. It was dropped from the pocket of Crossley and brought to me. That you may consider it at your leisure I annex a copy of it, and of the proceedings of the Bench of Magistrates.

My fifth objection is because Richard Atkins, Esq., is my prosecutor in this trial, and is so deeply interested to procure my conviction that, should he fail, nothing but the arm of power can save him from criminal prosecution at this very bar for his false imprisonment of me.

His sixth
and last
objection to
Atkins.

My sixth and last objection is founded on his having already pronounced sentence of condemnation against me, as is presumptively proved (and *as he clearly*) by his declaring that the Bench of Magistrates had the power to punish me by fine and imprisonment, thereby clearly demonstrating an intention to deprive me of the benefit of my present trial.

It will not, I presume, be denied that the Judge-Advocate, from the constitution of this Court, combines the two characters of judge and juror, and that it follows as an indisputable consequence that any objection which applies to either character is strictly applicable to him. All that is, therefore, for me to do is to lay before you the legal authorities on which I ground my right of challenge.

1. Authority.—“The suspicion of prejudice may be reasonably inferred against a juror from the circumstance of his having an interest in the case whereby he may be led to wish the condemnation of the prisoner.

The practice
of Courts-
Martial.

“The prisoner must assign his cause of challenge of the relevancy and validity of which the members are themselves the judges. The most valid causes of challenge are—Suspicion of malice, of prejudice, and infamous character.”—*Tytler*, p. 226.*

2. Authority.—“So jealous is the law of the perfect impartiality of jurors that [it] is allowed to be a good cause of challenge that the juror has been heard to give his opinion beforehand that the party is guilty.”—*Tytler*, p. 228.

Grounds of
challenge.

3. “Two causes of challenge *impossible to be overruled* are the charge of corruption or bribery by competent proof, and malice or hostile enmity expressed by *word or deed*, against the prisoner. Infamous character is also a most relevant ground of challenge.”—*Tytler*, p. 229.

4. “It hath been allowed a good ground of challenge on the part of the prisoner that the juror hath declared his opinion beforehand that the party is guilty.”—*Burn's Justice*, 2nd vol., p. 813.

5. “The Mayor of Hereford was laid by the heels for sitting in judgment in a cause where he himself was lessor of the plaintiff in ejectment, though he by the charter was sole judge of the Court.”—*Burn*, vol. iii, p. 26.

6. “The case of Foxham Tithing, in the county of Wilts, a justice of the peace was surveyor of the highways, and a matter which concerned his office came in question at the Sessions, he joineth in making the order, and his name was put in the caption. Determined by Lord Chief Justice Holt: It ought not to be, as if an action be brought by my Lord Chief Justice Trevor, in the Court of Common Pleas, it must be before Edward Neville Knight and his associates, and not before Thomas Trevor, and it was quashed.”—*Burn*, vol. iii, p. 27.

* This dictum has reference only to Courts-Martial. The parallel is however very incomplete, since the Judge-Advocate, or Deputy Judge-Advocate, in the case of a Court-Martial cannot on any grounds be challenged. The Court as constituted at Sydney was different, however, to a Court-Martial, and was equally different to the Criminal Courts of England. Speaking in the light of the practice of Courts-Martial on the one hand, and Jury Courts and Justices on the other, it would appear that although challenges might possibly be made to the officers forming, with the Judge-Advocate, the Court, yet they would not lie against the Judge-Advocate; for if the Judge-Advocate of a Court-Martial and Judge or a Justice in a Criminal Court are both exempt from challenge, so much more ought an officer to be who unites the functions of both. There would be no element of doubt whatever in the matter had not the Judge-Advocate been invested also with the functions of a juror.

7. "And the better to remove all cause of suspicion of partiality, it was wisely provided by the statutes 4th Edward III, c. 2; 8th Richard II, c. 2; and 33rd Henry VIII, c. 24, that no judge of assize shall hold pleas in any county wherein he was born or inhabits."—*Blackstone's Commentaries*, vol. iii, p. 355.

1808

25 Jan.

8. "Jurors may be challenged for suspicion of bias or partiality. This may be either a principal challenge, or to the favour. A principal challenge is such when the cause assigned carries with it evident marks of suspicion either of malice or favour; as that he has an interest in the cause, that there is any action depending between him and the party. These are principal grounds of challenge, and, if true, cannot be overruled."—*Blackstone*, vol. iii, p. 362.

Challenges
propter
affectum.

Gentlemen, it would be an unpardonable waste of your time and an insult to your understanding to press upon you more authorities, for these I have submitted are clear to the point. You will now decide, gentlemen, whether law and justice shall finally prevail against the contrivances of George Crossley. You have the eyes of an anxious public upon you, trembling for the safety of their *property*, their *liberty*, and their *lives*. To you has fallen the lot of deciding a point which perhaps involves the happiness or misery of millions yet unborn. I conjure you in the name of Almighty God, in whose presence you stand, to consider the *inestimable value* of the precious deposit with which you are now entrusted.

Macarthur
appeals to
the officers.

For my own part, knowing you as I do, I have no apprehensions. I feel assured that neither expectation of reward and favour nor dread of persecution will influence your decision. It is to the officers of the New South Wales Corps that the administration of justice is committed; and who that is just has anything to fear?

JOHN MCARTHUR.

Answer.

Government House, Sydney, 25th January, 1808,

Gentlemen,

Half-past noon.

In answer to your letter, just received, I conceive that there could have been no cause of challenge to the Judge-Advocate, who is the officer appointed by His Majesty's patent, and without whose presence there can be no Court, and I consider that the Judge-Advocate had a right to commit any person who might commit any gross insult to him while in his special capacity as judge of the Court. I do not consider the Court to be formed without the Judge-Advocate, and when legally convened I have no right to interpose any authority concerning its legal acts. I, therefore, can do no otherwise than direct that the Judge-Advocate take his seat and act as directed by His Majesty's letters patent for the constituting the Court of Criminal Jurisdiction, which, being authorised by an Act of Parliament, is as follows:—"And we further will, ordain, and appoint that the said Court of Criminal Jurisdiction shall consist of our Judge-Advocate for the time being, together with such our six officers of our sea and land service as our Governor (or, in case of his death or absence, our Lieutenant-Governor) shall by precept, issued under his hand and seal, convene from time to time for that purpose.†

The Judge-
Advocate
not open to
challenge.

I am, &c.,

W^M BLIGH.

* See the Letters Patent, vol. i, pt. 2, p. 74.

† Bligh certainly had the law on his side. *Simmons on Courts-Martial*, p. 219, lays it down as a point not admitting of dispute, that, in the case of a Court-Martial, "the Judge-Advocate or his deputy cannot, on any grounds, be challenged." Of course the Criminal Court, as established at Sydney, was very different from a Court-Martial; but it was more allied to it than to any other Court then existing in Great Britain. Charles Manners Sutton, Judge-Advocate General in the Administration of Spencer Perceval, who officiated at the trial of Lieutenant-Colonel Johnston, thus expressed himself upon this subject:—"It was perfectly incompetent to any person brought before that Court" [the Criminal Court at Sydney] "to offer a challenge against the Judge-Advocate sitting upon it; he might as well offer a challenge against a Judge in this country sitting at the assizes."

1808

Sir,

Answer.

Sydney, 25th January, 1808.

25 Jan.

We have had the honor of your Excellency's opinion with respect to the objection made by a prisoner (John McArthur, Esq.), at our bar, to the Judge-Advocate.

The officers
refuse to
sit with
Atkins.

We beg your Excellency to be assured that we have at all times the utmost deference to any opinion delivered by your Excellency ; but, in the present case, we cannot, consistent with the oath we have taken, or with our consciences, sit with Richard Atkins, Esq., in the trial of John McArthur, Esq., knowing as we do that the greatest enmity has for these thirteen or fourteen years past existed between the parties. We pray your Excellency's further consideration in the present case.

We have, &c.,

[Signed by the six Officers.]

Answer to the above.

Gentlemen,

Sydney, 25th January, 1808, quarter past 2 o'clock.

Bligh
demands
the papers.

In reply to your second letter of this date, I require that you deliver to Mr. William Gore, Provost-Marshal, and Mr. Edmund Griffin, my secretary, who accompanies him on the occasion, all the papers that the Judge-Advocate left on the table, and which were refused to be sent to him by the constable, and also those which the prisoner, John McArthur, has read before you, that they may be delivered to the Judge-Advocate. His Majesty's legal officer.

I am, &c.,

W^m BLIGH.

Note by Governor Bligh.—At this time a report was brought that Major Johnston was taken speechless, and Doctors Jamison and Harris were sent for out at his country house, 4 miles from town. Soon after another report was spread that he had been blood, and was much better.

THE OFFICERS TO GOVERNOR BLIGH.

Sir,

Sydney, 25th January, 1808.

The officers
refuse.

We are honored with your Excellency's letter, requiring of us to deliver to Mr. Gore and Mr. Edmund Griffin all the papers the Judge-Advocate left on the table ; and also those which the prisoner, John McArthur, Esq., read before us.

With all due submission to your Excellency's commands, we beg leave to state that we are not defensible in giving up the papers alluded to to any person unless your Excellency thinks proper to appoint another Judge-Advocate to proceed on the trial of John McArthur, Esq.

We have, &c.,

[Signed by the six Officers.]

THE OFFICERS TO GOVERNOR BLIGH.

Sir,

Sydney, 25th January, 1808, 3-30 p.m.

Macarthur's
deposition
sent to
Bligh.

We take the liberty of enclosing to your Excellency a copy of the deposition made before us as members of the Criminal Court, this day assembled, under your Excellency's precept, by John McArthur, Esq., prisoner at the bar.

We earnestly entreat your Excellency will be pleased to order such protection to be given Mr. McArthur as in our humble opinion the nature of the complaint stated by him before us merits.

We beg leave to assure your Excellency that it is not without the most heartfelt sorrow that we have been eye-witnesses this day of the laws having been grossly violated by Richard Atkins, Esq., the Judge-Advocate, in threatening, before the sacred tribunal of a Criminal Court, to commit John McArthur, Esq., the prisoner at the bar, who was pleading his own cause by the Court's order, to gaol as a common felon.

We have, &c.,

[Signed by the six Officers.]

* This letter is printed from a copy certified by Captain Kemp to have been compared with the original, and to be correct. It is slightly different from the copy printed in the Appendix to the proceedings of the Court-Martial on Lieutenant-Colonel Johnston ; but in sense both are identical.

DEPOSITION REFERRED TO—MARKED B.

1808

THE prisoner, John McArthur, Esq., now before the Court, claims their protection, he having received information from divers friendly persons that a large body of men are armed with orders to carry into execution a warrant from the Judge-Advocate against him for exercising his lawful right of challenge against the said Judge-Advocate, and assigning his reasons for it, as he was directed to do by the Court. The deponent further swears that, from the information he has received, he considers his life in danger from the unprincipled and atrocious characters that are combined against him under the direction of the infamous George Crossley. He therefore declines giving any bail, and entreats the Court will be pleased to put him under the protection of a military guard, they being the only persons in whose hands he could consider himself secure.

25 Jan.

Macarthur claims the protection of the soldiery.

J. McARTHUR.

Sworn before the Court of Criminal Jurisdiction this 25th day of January, 1808.

[Signed by the six Officers.]

GOVERNOR BLIGH TO THE OFFICERS.

Government House, Sydney, 25th January, 1808,

Gentlemen,

Three-quarters past Three o'clock.

I have required the Judge-Advocate's papers, with those that were read by John McArthur, and I now demand finally your answer in writing whether you will deliver those papers or not; and I again repeat that you are no Court without the Judge-Advocate.

A formal demand for papers.

I am, &c.,

W^M BLIGH.

Note by Governor Bligh.—This letter was sent by Mr. Gore and Mr. Griffin to those addressed. The affidavit was sent back to have the copy of the attestation added to it. At 5 o'clock Mr. Gore and Mr. Griffin returned with the following letter and the affidavit above-mentioned, signed by the whole of those to whom the above letter is addressed :—

Sir,

Sydney, 25th January, 1808.

In answer to your Excellency's letter, we beg leave to say that we are ready to furnish your Excellency with an attested copy of all the papers required, but the originals we are compelled to keep in justification of our conduct; or should your Excellency be pleased, for the furtherance of the public service, to appoint another Judge-Advocate for the trial of Mr. McArthur, we are ready to deliver all the papers to the person so appointed. The members of the Court, constituted by your Excellency's precept, and sworn in by the Judge-Advocate, beg leave to acquaint you that they have adjourned to wait your Excellency's further pleasure.

The officers offer copies, or ask for new Judge-Advocate.

We have, &c.,

[Signed by the six Officers.]

Note by Governor Bligh.—Immediately after this I wrote the following letter to Major Johnston :—

Sir,

Government House, Sydney,

25th January, 1808, half-past 5 o'clock.

His Excellency, under particular public circumstances which have occurred, desires me to request you will see him without delay.

Bligh asks Johnston to wait on him.

I have, &c.,

EDMUND GRIFFIN.

Note by Governor Bligh.—In place of any letter being written in answer to my above letter, Thomas Thornby, one of my bodyguard, who carried it, returned and said :—"Major Johnston's compliments to Mr. Griffin. That he was sorry he could not write an answer to him to the note he had received; that he was dangerously ill, and it would endanger his life to come into camp; his right arm was tied up, and he said he had been bled." Thus ended this day's proceedings. The papers of the following day, the 26th January, were seized.—W^M BLIGH.

Johnston unwell.

1808

25 Jan.

Four o'clock p.m.—The prisoner, John McArthur, Esquire, is returned to his former bail, and Mr. William Gore, the Provost-Marshal, acquiesces therewith by the senior member of the Court.

DEPOSITION OF PROVOST-MARSHAL GORE.

Sydney, 25th January,

Macarthur
under bail.Presents
himself for
trial.Macarthur
not in Gore's
custody.A military
guard.

WILLIAM GORE, Esq're, Provost-Marshal, being sworn before us, on oath, saith: That John McArthur, Esq're, being under bail to answer certain misdemeanors, and having, as this deponent verily believes, notice that a Criminal Court would assemble this day, came into Court together with his bail, where the persons intended to compose the said Court were met; and six of the persons named, with the Judge-Advocate, having taken the usual oath, the said John McArthur, not having then taken the oath, the said John McArthur, this deponent understood and believes, surrendered, the said Judge-Advocate being then in the room for the purpose of composing the said Court; and this deponent saith that the said John McArthur, by a paper-writing under his hand, delivered to six of the persons named, has stated himself to be a prisoner, and which this deponent believes to be true. But the said John McArthur is not in the deponent's custody, in the county jail or elsewhere; but has refused bail to appear to answer the charges for the misdemeanors with which he stands charged; and this deponent is informed and believes that John McArthur has procured some person or persons unknown to him, to keep him out of this deponent's custody. This deponent saith he very much believes he may become chargeable for his escape, and prays the Bench of Magistrates to grant him an escape, or such other protection as the case may require.

W'M GORE,
Provost-Marshal.

Sworn before us, this 25th day of January, 1808,—
RICH'D A. ARTHUR,
THOS. ARTHUR,
ROBT. CAMPBELL,
JNO. PALMER.

Five o'clock p.m.—The Court adjourned till to-morrow morning,

10 a.m., 26th January,

Macarthur
re-arrested
and
imprisoned.

THE Court met pursuant to adjournment, and the prisoner, John McArthur, Esquire, not appearing at the bar, and the sureties being called upon to bring forth the body of the said John McArthur, or to furnish recognizance, deliver into the Court the deposition marked C (per the Court taking the same into consideration, feel themselves bound to record on their minutes that the testimony therein quoted, and the statement of Mr. William Gore, the Provost-Marshal, before a Bench of Magistrates set forth in the J.-A.'s warrant) is false. The Court therefore, on full consideration, think themselves bound to address His Excellency the Governor, as the executive authority of the colony, on the subject, as follows:

Sir,

Court-house, Sydney, 26th January,

The officers
again
address
Bligh,
and ask for
another
Judge-
Advocate
to be
appointed,

We have the honor to enclose your Excellency an attested copy of an address delivered to the Court yesterday by John McArthur, prisoner at the bar.* The address we trust will induce your Excellency to concur in the opinion we have given, that "the Judge-Advocate, Mr. Atkins, Esquire, has been challenged on good and lawful grounds to be ineligible to sit as a judge in the cause before us."

We also take the liberty to submit to your Excellency, that, having taken an oath "well and truly to try, and a true deliverance make to the sovereign Lord the King and the prisoner at the bar, and a true verdict give according to evidence," that we are bound to proceed to the

McArthur, Esquire, or to violate our oath. We therefore pray that your Excellency will be pleased to nominate some impartial person to execute the office of Judge-Advocate. We have, &c., [Signed by the six Officers.]

1808

25 Jan.

Sir,

It is with much concern we have learned by the enclosed deposition made before us by G. Blaxcell, Esquire, and N. Bayly, Esquire, that the body of John McArthur, the prisoner arraigned before us yesterday, has been forcibly arrested from the bail which the Court remanded him in, which illegal act of the magistrates (founded on the false deposition of Mr. William Gore, Provost-Marshal) we beg leave to represent to your Excellency, is in our opinion calculated to subvert the legal authority and independence of the Court of Criminal Jurisdiction constituted in this colony by His Majesty's letters patent, and we therefore pray your Excellency will discontinue such magisterial proceedings, pregnant with the most serious consequences to the community at large, and that your Excellency will be pleased to take measures to restore John McArthur, Esq., to his former bail, that the Court may proceed on his trial.* We have, &c., [Signed by the six Officers.]

The officers ask for the liberation, on bail, of Macarthur.

[ENCLOSURE MARKED "C."]

Depositions of Blaxcell and Bayly.

THE Court of Criminal Jurisdiction assembled, Garnham Blaxcell and Nicholas Bayly, Esquires, do make oath before this Court that John McArthur, Esq., was this morning, about nine o'clock, forcibly wrested from their charge by two constables by virtue of a warrant of which the following is a copy, although he (the said John McArthur) was delivered in the charge of the said Garnham Blaxcell and Nicholas Bayly yesterday, when the Court adjourned, by the officers composing that Court:—

Macarthur wrested from his bail

Cumberland, } Whereas oath hath been made before us this day by William
to wit. } Gore, Esq.,† Provost-Marshal, that John McArthur, Esq.,
being surrendered into his custody in charge of his bail, is at large, although he stands charged with certain misdemeanours in inciting the people to hatred and contempt of the Gov't, and has escaped out of his custody contrary to law, these are, in His Majesty's name, to require and strictly charge and command you, and every one of you, to take into custody the body of the said John McArthur, and him safely keep and secure in His Majesty's gaol at Sydney, to answer to all such misdemeanours, matters, and things whereof he stands charged on the information exhibited against him, and him safely keep until he shall be delivered by due course of law: Hereof fail not at your peril.

Re-arrested on deposition of Gore.

Given, &c., this 25th January, 1808,—

RICH'D ATKINS.
THO'S ARNDELL.
ROB'T CAMPBELL.
JOHN PALMER.

THE said Garnham Blaxcell and Nicholas Bayly do further state that they do not consider the person of John McArthur safe, as he was when first put into jail delivered in charge of a constable of notorious bad character who formerly lived in his house, from whence he was turned away for robbing his master, and who, as the said Garnham Blaxcell and Nicholas Bayly are informed, was appointed to do this duty although not his regular turn.

Macarthur handed over to a constable of bad character.

The said Garnham Blaxcell and Nicholas Bayly therefore humbly hope that the Court will take such measures as in their wisdom may appear to them necessary to restore to them (the said Garnham Blaxcell and Nicholas Bayly) the body of the said John McArthur, Esq., their bail bond not being yet cancelled.

G. BLAXCELL.
NICHOLAS BAYLY.

Sydney, 26th January, 1808.

* Bligh returned no answer to these two letters.

† See Gore's deposition, dated 25th January, 1808, ante, p. 428.

1803 MEMORANDUM by the members of the Court of Criminal Judicature made the 26th January, 1808.

25 Jan.

Prisoner on bail; put in gaol.

Gore's deposition false and ill-founded

It appearing to the Court of Criminal Judicature now sitting by authority of His Excellency the Governor's precept, bearing date ... inst. January, that a prisoner yesterday brought to bar, and remanded on his former bail, has since that been committed to the common gaol of Sydney, forced out of the hands of his sureties by a warrant from the Bench of Magistrates, founded on a deposition made before said Bench by William Gore, Provost-Marshal, that "The prisoner (John McArdle, Esq're) was at large, and escaped out of his custody contrary to law." We therefore think it a justice due to the prisoner to declare that the deposition so made by Mr. William Gore is false and ill founded and that every legal step will be resorted to by the Court to bring the offender to justice.

We are, &c.,

A. F. KEMP, Cap'n. N.S.W., Corl
J. BRABYN, Lieut., N.S.W. Corl
W'M MOORE, Lieut.
THO'S LAYCOCK, Lieut.
W'M MINCHIN, Lieut.
W'M LAWSON, Lieut.

The officers adjourn.

Three o'clock.—The Court not being able to obtain an answer from His Excellency (although by a verbal message he promised to send one), and having waited since half-past noon, now adjourn till His Excellency's pleasure is known.

JUDGE-ADVOCATE ATKINS TO GOVERNOR BLIGH.*
(Colonial Secretary's Papers.)

26 Jan.

26th January, 1808.

THE Memorial of Richard Atkins, Esquire, Judge-Advocate,—
Sheweth :—

27 Geo. III,
c. 2.

That by a certain statute made in the 27th year of his present Majesty King George the Third, chap. 24, after reciting certain authorities empowering His Majesty to transport certain offenders to New South Wales, and that it might be found necessary that a colony of a Civil Government should be established there, and that a Court of Criminal Jurisdiction should also be established within such place, with authority to proceed in a more summary way than are used in England according to the known and established laws thereof,—it is enacted :

The Governor's power to convene Court.

That His Majesty had authority, by commission under the great seal, to authorize the person to be appointed Governor of such place to convene from time to time as occasion might require a Court of Judicature for the trial and punishment of all outrageous misbehaviours as if committed within the realm of England would be taken in law to be treason or misprision thereof, felony or misdemeanour, which Court shall consist of the Judge-Advocate, to be appointed in and for such place, together with six officers of His Majesty's forces by sea or land.

Procedure to be observed.

Which Court should proceed to try such offenders respectively before that Court, and cause the charge against him to be read over, which charges shall always be reduced into writing, and should be exhibited to the said Court by the Judge-Advocate, and by examining witnesses upon oath, to be administered by such Court as well for as against such offenders respectively,

* On the margin of the copy of this memorial which was forwarded to England with Major Johnston's despatches was the following note :—"The rough draft of this memorial written by George Crossley ; the purport of it known throughout the town directly after it was written."

† The text of this Act will be found in vol. i, part 2, p. 67.

and afterwards adjudging, by the opinion of the major part of the persons composing such Court, that the party accused is or is not (as the case shall appear to them) guilty of the charge, and by pronouncing judgment therein upon a conviction by verdict of death if the offence be capital, or of such punishment, not extending to capital punishment, as to the said Court shall seem meet.

1808

26 Jan.

That the said Court, it is enacted, should be a Court of Record, and should have all such powers as by the laws of England are incident and belong to a Court of Record.

A Court of Record.

That His Majesty, in pursuance of the power given by the said Act, did by his letters patent,* bearing date the 2nd day of April, in the 27th year of his reign, appoint such Court of Criminal Jurisdiction in this colony, with the same powers as by the said Act is enacted, and did thereby, amongst other things, will, ordain, and appoint that the said Court of Criminal Jurisdiction should consist of His Majesty's Judge-Advocate for the colony, together with such six officers of His Majesty's sea or land service as His said Majesty's Governor should by precept issued under his hand and seal convene from time to time for that purpose, and that the same Court should have the powers as by the said Act is in that behalf directed.

Letters patent establishing Court.

That your memorialist was appointed by His Majesty his Judge-Advocate in this colony, and hath been in the actual exercise of his office of Judge-Advocate of this territory for the term of seven years and upwards, and now is in the actual possession of the said office of Judge-Advocate.

Atkins's appointment.

That some time ago one John McArthur, Esq., being charged with seditious practices against His Majesty, his Crown, and dignity, was put in arrest, and was admitted to bail in the penalty of £1,000, to answer for the said offence, and all other offences, at the then next Criminal Court.

Macarthur under bail.

That your Excellency having been pleased to issue your precept under your hand and seal (agreeable to the direction of the patent) by which Anthony Fen Kemp, captain in His Majesty's New South Wales Corps; John Brabyn, William Moore, Thomas Laycock, William Minchin, and William Lawson, lieutenants in the same Corps, were appointed with your memorialist to compose and become the members of the said Court of Criminal Jurisdiction, to be held on the 25th day of January instant, for the trial of all such offenders as should be brought before the said Court.

Bligh convenes Court.

That, in obedience to the said precept, your memorialist caused the said Anthony Fen Kemp, John Brabyn, William Moore, Thomas Laycock, William Minchin, and Wm Lawson to be summoned to meet, and as it is the usual custom for your memorialist first to administer the oath to such six members, and then for such six members to administer the oath to your memorialist previous to their being formed into a Court or taking cognizance as a Court of any matter of charge against any person or prisoner whatever.

Atkins administers oaths to officers

Your memorialist having sworn the said Anthony Fen Kemp, John Brabyn, William Moore, Thomas Laycock, William Minchin, and William Lawson, your memorialist took the Book to have the oath administered to himself before those persons, as is usual in such cases, when the said John McArthur made an interruption and said he had protested against your memorialist being a member of that Court to sit upon his trial; whereupon your memorialist informed the said six members that it was no Court without your memorialist, and he could not be objected to, as by the terms of His Majesty's patent, the Court could not be formed without the Judge-Advocate.

Macarthur protests against Atkins.

When Mr. Anthony Fen Kemp said he was no more than a juryman or one of themselves, and could or should be objected unto, and the said Anthony Fen Kemp called out to the said John McArthur to read his objections, and your memorialist was compelled to remove from his seat and to hear a great torrent of threats and abusive language read by the said John McArthur to

The officers hear Macarthur.

* See these Letters Patent, vol. i, part 2, p. 70.

1808

23 Jan.

the said persons in a very violent and outrageous manner, and at the conclusion the said John McArthur addressed them, in the presence of one thousand persons or more assembled in the Court, and made use of these, or the like words :—

“ Now, gentlemen, for God's sake, remember you have the eyes of an expecting public upon you, trembling for the safety of their lives, liberties, and properties.”

Kemp threatens to commit the Judge-Advocate.

And, upon your memorialist telling the said John McArthur that he would commit him for such his contemptuous language, the said Anth'y Fen Kemp said to your memorialist, “ You commit ! No, sir, I will commit you to gaol ”—or used words to that effect.

Atkins attempts to adjourn the Court.

That your memorialist, seeing nothing but confusion likely to ensue by the conduct of the said Anthony Fen Kemp, John Brabyn, William Moore, Tho. Laycock, William Minchen, and William Lawson, and fearing for his safety from the great number of soldiers with their side-arms then in the Court-house, and others who had been assembled, as your memorialist believes, your memorialist called out that he adjourned the Court, and directed the people to disperse and come away, when the said Anthony Fen Kemp and the other five persons called the people back by saying, “ Stay, stay ; tell the people not to go out. We are a Court.”

Macarthur appeals to the soldiers for protection.

That your memorialist has since been informed and believes that the s'd John McArthur addressed these parties by saying, “ Am I to be cast forth to the mercy of a set of armed ruffins—the police ” ; and said to them that he had rec'd private information from his friends that there was a set of armed ruffins prepared against him when he went out, and requested those officers to let him have a military guard, as in that case they knew they would have something to do to get at him.

The appeal granted.

And the said John McArthur, then being before brought into Court and surrendered in discharge of his bail, and in the custody of the Provost-Marshal, was by the said Anthony Fen Kemp, John Brabyn, Will'm Moore, Tho. Laycock, William Minchen, and Wm. Lawson rescued out of the hands of the civil power and put under the protection of the military, as your memorialist hath heard and believes.

Charged with grave misdemeanors.

Your memorialist shews that a charge was prepared against the said John McArthur for a certain misdemeanor in inciting the people to hatred and contempt of His Majesty and of the Government as by the Constitution and law established in this territory, and for a false and seditious libel, with intent to incite the people to hatred and contempt of the Government, and for other high misdemeanors.

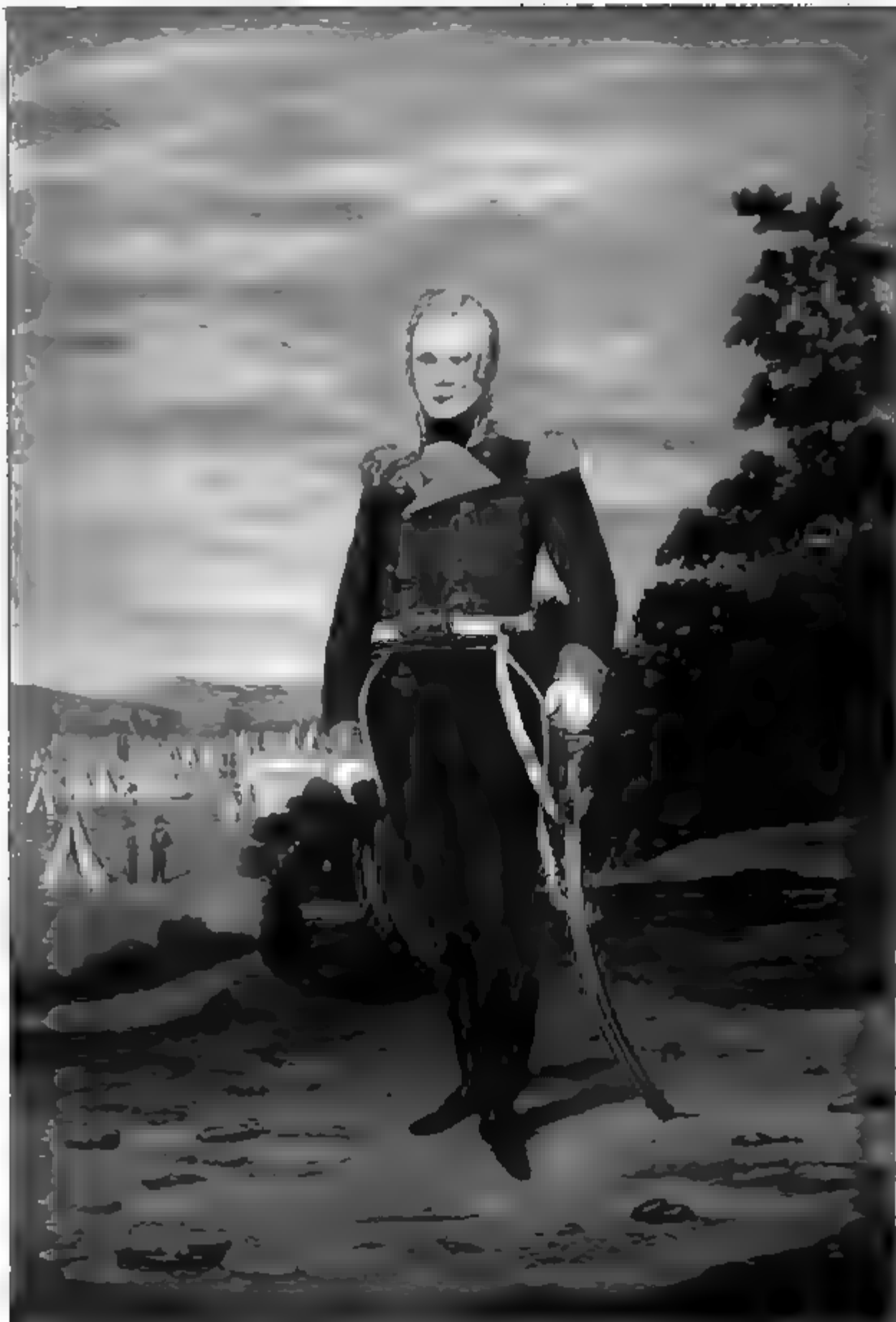
Macarthur intimate with officers.

That altho' the said Anthony Fen Kemp, John Brabyn, William Moore, Tho. Laycock, William Minchin, and Wm. Lawson well knew the charges against the said Jno. McA., Esq., and that he was under bail to answer at a Criminal Court for such offences against His Majesty, his Crown, and dignity, and that they were to be members to sit on that Court, they all dined at a public dinner with the said John McArthur* the day before, and had the colours of the regiment of the New South Wales Corps flying all the day, with the musical band playing till a late hour.

Papers seized by officers.

That your memorialist, having taken into Court all the papers and documents put into your memorialist's hands by the Governor to be exhibited to the evidence when produced, and also the information to file of record, and other papers, the said Anthony Fen Kemp, John Brabyn, William Moore, Thos. Laycock, William Minchin, and William Lawson by this means possessed themselves of those papers and documents, and, altho' demanded, have refused to deliver them up.

* This is not correct. Bligh, at the trial of Lieutenant-Colonel Johnston, admitted that Macarthur was not at the dinner. His son and several of his partisans were.



LIEUTENANT-COLONEL GEORGE JOHNSTON.

From an Original Painting
in the possession of his daughter, Mrs Weston

That your memorialist most humbly submits to the judgment of your Excellency that the crimes the said Anthony Fen Kemp, John Brabyn, William Moore, Thos. Laycock, William Minchin, and William Lawson have so committed amount to a usurpation of His Majesty's Government, and tend to incite or create rebellion or other outrageous treason in the people of this territory.

And pray your Excellency to take such measures in this case as the nature thereof, in your Excellency's judgment, may require.

And your memorialist will ever pray, &c.

RICH'D ATKINS.

1808

26 Jan.

Officers
guilty of
treason.

CIRCULAR LETTER SENT TO EACH MEMBER OF THE COURT AFTER ADJOURNMENT.

~~That~~ Judge-Advocate having presented a memorial to me, in which you are charged with certain crimes, you are therefore hereby required to appear before me, at Government House, at nine o'clock, to-morrow morning, to answer in the premises.

Bligh summons the officers to Government House,

Given, &c., this 26th January, 1808.

W'M BLIGH.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir,

Government House, Sydney, 26th January, 1808.

In answer to my letter of yesterday, I received a verbal message by my orderly from you that you was rendered by illness totally incapable of being at Sydney. I apprehend the same illness will deprive me of your assistance at this time; and the Judge-Advocate having laid a memorial before me against six of your officers for practices which he conceives treasonable, I am under the necessity of summoning them before me, and all the magistrates give directions to attend at nine o'clock to-morrow morning.

and informs
Major
Johnston.

I leave it for you to judge whether Captain Abbott should be directed to attend at Sydney to command the troops in your absence.*

I am, &c., W'M BLIGH.

MAJOR JOHNSTON TO THE KEEPER OF HIS MAJESTY'S GAOL AT SYDNEY.†

26th January, 1808.

You are hereby required and directed immediately to deliver into the custody of Garnham Blaxcell and Nicholas Bayly, Esqr's, the body of John Macarthur, who was committed by warrant, dated the 25th instant, signed by Richard Atkins, Thomas Arndell, Robert Campbell, and John Palmer, Esqr's, it having been represented to me by the officers composing the Court of Criminal Judicature that the bail bond entered into by the said Garnham Blaxcell and Nicholas Bayly remains in full force. Herein fail not, as you will answer the same at your peril. Given, &c.,

Macarthur
liberated on
bail.

GEO. JOHNSTON, J.P.,

Lient.-Gov. and Major, Commanding N.S.W. Corps.

* Johnston's answer (according to Bligh, 30th April, 1803, post, p. 616) was that he was too ill to write, but that he would get a person to write an answer in the evening.

† This was the first act of Major Johnston in his character of Lieutenant-Governor. At this time Bligh had not been placed under arrest. It is evident from this that Johnston took this first step independently of Macarthur, although no doubt he was strongly urged to act by the partisans of the latter.

1808

JOHN MACARTHUR AND OTHERS TO MAJOR JOHNSTON.

26 Jan.

Sir,

26th January, 1808.

The
requisition
to Johnston.

The present alarming state of this colony, in which every man's property, liberty, and life is endangered, induces us most earnestly to implore you instantly to place Governor Bligh under an arrest and to assume the command of the colony. We pledge ourselves, at a moment of less agitation, to come forward to support the measure with our fortunes and our lives.

We are, with great respect, Sir,

Your most obedient servants,

JNO. MCARTHUR.

GREGORY BLAXLAND.

JNO. BLAXLAND.

JAMES BADGERT.

JAMES MILEHAM.

NICHOLAS BAYLY.

S. LORD.

Note by Governor Bligh.—And by upwards of one hundred other inhabitants of all descriptions, some of whom are the worst class of life.*

PROCLAMATION.

Head-quarters, 26th January, 1808.

Martial law
proclaimed.

THE present alarming state of the colony having induced the principal inhabitants to call upon me to interpose the military power for their relief, and to place His Excellency Governor Bligh in arrest, I have, with the advice of my officers, considered it necessary, for the good of His Majesty's service, to comply with their request. I do, therefore, hereby proclaim martial law in this colony, to which all persons are commanded to submit, until measures can be adopted for the restoration of the civil law on a permanent foundation.

By command of His Honor the Lieu't-Governor.

NICHOLAS BAYLY, Secretary.

MAJOR JOHNSTON TO GOVERNOR BLIGH.

Sir,

Head-quarters, 26th January, 1808.

Johnston
arrests
Bligh.

I am called upon to execute a most painful duty. You are charged by the respectable inhabitants of crimes that render you unfit to exercise the supreme authority another moment in this colony; and in that charge all the officers under my command have joined.

I therefore require you, in His Majesty's sacred name, to resign your authority, and to submit to the arrest which I hereby place you under, by the advice of all my officers, and by the advice of every respectable inhabitant in the town of Sydney.

I am, &c., GEORGE JOHNSTON,

Acting Lieu't-Gov. and Major commanding N.S.W. Corps.

* The original document in the handwriting of John Macarthur—is still in existence, and can be seen at the National Art Gallery, Sydney. It is here reproduced in *fac-simile*.

CONFIDENTIAL

Figure 1. The effect of the concentration of the *Agrobacterium* strain on the transformation efficiency of *Agrobacterium* strain on *Agrobacterium* strain.

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^a The number of subjects who were included in each group was as follows: 10 in the control group; 9 in the low-dose group; 8 in the medium-dose group; 7 in the high-dose group.

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1010 spectrophotometer. The concentration of chlorophylls was expressed as $\mu\text{g mL}^{-1}$ of the sample.

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971) using a Shimadzu 1601 UV-Visible Spectrophotometer. The concentration of chlorophyll was expressed in $\mu\text{g mL}^{-1}$ of the sample.

| Country | 1950 | 1960 | 1970 | 1980 | 1990 | 2000 | 2010 | 2020 | 2030 | 2040 | 2050 |
|--------------------|------|------|------|------|------|------|------|------|------|------|------|
| Japan | 7 | 8 | 10 | 12 | 14 | 16 | 18 | 20 | 22 | 24 | 26 |
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| France | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| Italy | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| Spain | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 |
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| United Kingdom | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| United States | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| Canada | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| South Korea | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| China | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| India | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| Indonesia | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 |
| Philippines | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 |
| Thailand | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 |
| Malaysia | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 |
| Singapore | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 |
| South Africa | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 |
| Argentina | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 |
| Brazil | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 |
| Mexico | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 |
| Colombia | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 |
| Venezuela | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 |
| Peru | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 |
| Ecuador | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 |
| Bolivia | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 |
| Paraguay | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 |
| Uruguay | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 |
| Chile | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 |
| Costa Rica | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 |
| Panama | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 |
| Dominican Republic | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 |
| Honduras | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 |
| Guatemala | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 |
| El Salvador | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 |
| Nicaragua | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 |
| Haiti | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 |
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10/10/10

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains.

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Figure 1



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Abstract

| Age Group | 2006 | 2008 | 2010 |
|-----------|------|------|------|
| 18-29 | ~85% | ~88% | ~90% |
| 30-49 | ~75% | ~78% | ~80% |
| 50-69 | ~65% | ~68% | ~70% |
| 70+ | ~55% | ~58% | ~60% |

Figure 1. The effect of the concentration of the *Agrobacterium* suspension on the transformation efficiency of *Agrobacterium* strains.

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蘇軾



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GOVERNMENT AND GENERAL ORDER.

1808

Parramatta, 26th January, 1808.

26 Jan.

MR Johnston having arrested His Excellency Governor Bligh, having taken upon himself the charge of the Government, no orders are to be obeyed unless they come from him.

By order of Major Johnston.

EDWARD ABBOTT,

Captain Commanding, Parramatta.

Martial law is proclaimed.

EXAMINATIONS OF OFFICERS AFTER THE ARREST OF GOVERNOR BLIGH.*

(Colonial Secretary's Papers.)

Examination of Mr. Griffin, the Governor's Secretary, taken before Capt. Anthony Fenn Kemp, Lieutenant Lawson, and Mr. Grimes, 26th January, 1808 :—

Were you ever present whenever any consultations respecting Mr. McArthur's stills were agitated, and who were present ; and do you know any indictment being prepared by George Crossley previous to the one exhibited to the Criminal Court respecting the stills ?—A. Yes ; and the indictment was drawn out, by the Governor's desire, by George Crossley, I have frequently sent messages to Divine's by the order of the Governor if Crossley was there.

The influence of George Crossley.

Who were present when the Governor consulted George Crossley for yourself ?—A. I cannot recollect.

Did you ever send to George Crossley to meet you at Wolloomaloo by Governor's order ?—A. Yes, I did.

For what purpose was George Crossley sent for by you ?—A. To make remarks on the speech made the day before by Mr. McArthur at the Bench of Magistrates and the proceedings in general, for the information of the Governor.

Did he make any remarks, and what became of them ?—A. He did ; remarks were taken by me to the Governor, showed him, and some time after taken to the Hawkesbury by me and given to George Crossley by order of the Governor, with the proceedings of the Bench of Magistrates, for the purpose of framing an indictment against Mr. McArthur.

He frames the indictment against Macarthur.

Was that indictment framed ?—A. It was, and sent to me some time ago, with a letter accompanying it.

What was the reason the indictment was not acted upon ?—A. I cannot tell, not being present, that I recollect, at any consultations respecting it the Governor directed it to be laid by.

Do you know why Geo. Crossley was consulted by the Governor on Atkins's business, in preference to Mr. Atkins, the Judge-Advocate ?—A. Because he was thought to understand the forms of law best.

Do you know if the Governor was acquainted with any animosity existing between Mr. McArthur and George Crossley at the time, or with Mr. Atkins, the Judge-Advocate ? A. I do recollect Mr. Atkins shewing the Governor a letter from himself to Mr. McArthur in 1796,† accusing Mr. McArthur of improper transactions, of which letter I took a copy ; also another letter from Mr. Atkins to Governor King, some years back, stating that McArthur being the cause of many unpleasant things in this colony.‡

The relations between Atkins and Macarthur.

One of these examinations were made on the night of the 26th January, after the arrest of Bligh.

Probably the letter printed on p. 125 of vol. iii of these Records.

See the letter dated 23rd September, 1801, vol. iv, p. 571, to which, no doubt, Griffin refers.

1808

26 Jan.

Q. Was any person present with the Governor when Geo. Crossley was consulted by him how far Mr. McArthur could be punished for his speech before the Bench of Magistrates respecting the seizure of his stills?—A. At several times Messrs. Palmer, Campbell, and Atkins were present.

Q. Do you recollect what punishment George Crossley gave his opinion could be inflicted?—A. If proved, fine and imprisonment.

Crossley
consulted by
Bligh.

Q. Have you been present at any time within these few days when Geo. Crossley was consulted by the Governor respecting the Criminal Court, or the officers then sitting, and who were present?—A. I was. Messrs. Fulton, Atkins, Campbell, Palmer, and Gore were present, and, I believe, Mr. Arndel.

Q. What was their determination?—A. The Governor determined patiently to let the members proceed, and see what steps they would take.

Q. Was that Crossley's advice?—A. I think it was.

Q. Do you know why Mr. Gore, the Provost-Marshal, quitted the Criminal Court and ordered all the constables away?—A. Because the Judge-Advocate quitted the Court.

Correspond-
ence with
members of
Criminal
Court.

Q. Were all the persons abovementioned at the Government House when the first letter came to the Governor from the Court?—I believe they were.

Q. Was the letter read to the above persons?—A. It was read in their presence.

Q. Who gave any opinion on that letter, and what were their opinions?—I gave an opinion that an extract of the patent should be sent, and a reference to the General Orders; but before I gave that opinion I saw the Governor's written one, which was corrected by Geo. Crossley, and, after the alteration, was sent to the Court, approved by the whole.

Q. On the answer to the above letter from the Court (the gentlemen abovementioned still being in consultation at the Government House), what steps were proposed to the second letter from the Court?—A. The Governor, not conceiving the Court to be complete without the Judge-Advocate, desired Mr. Campbell to write to that effect, which the Governor signed; all the persons present approved of the answer after being written. There was much conversation, and George Crossley was present and approved of it, and particularly myself. It will more particularly appear by reference to the letters.

The
Governor in
consultation
with his
supporters.

Q. Were any steps proposed, should the Court still persist to sit as a Court after receiving the above letter?—A. Mr. Campbell and Geo. Crossley, with the Governor and myself, proposed sending to demand the papers left by the Judge-Advocate from the Court, and the Governor particularly concurred, as I did myself. I do not recollect any other steps being proposed; but after the Judge-Advocate gave a memorial to the Gov'r (which he understood had been framed by Geo. Crossley and Mr. Atkins), accusing the members of the Court of being guilty of treasonable practices, it was then the Governor's determination to order the officers before himself without delay, and Geo. Crossley recommended a summons to be sent, in the first place, to the whole as a body, but afterwards individually. I myself strongly objected to the opinion of Geo. Crossley to the Governor, wishing the Governor to give an order from himself to require the attendance of the six officers. The Governor agreed in my opinion, on which I immediately began the preamble by putting the Governor's titles on a sheet of paper when Geo. Crossley, standing by me, wrote in pencil the substance of an order which I altered, and the Governor approved of the alterations, and the order so altered was sent requiring their attendance at 9 o'clock the following morning instead of immediately.

* The Court which met on the 25th January, 1808, ante, p. 422, where the letter referred to will be found.

Q. What steps were proposed should the officers attend the above order?
—A. The Governor proposed having all the magistrates present, when the Judge-Advocate's memorial should be read to those officers by me. The Governor asked Geo. Crossley's opinion what steps could be taken against them. Geo. Crossley's opinion was that no steps could be taken if the officers persisted in their being a constituted Court; but it was difficult for him in so novel a case to give an opinion what should be done; but the Governor, with the advice of the magistrates, would be able to come to some determination, and should it be proved that they were an unlawful assembly they might be committed, but be liable to bail, by Act of Parliament, on which Mr. Gore proposed, in concurrence with Geo. Crossley, that a summons should be directed to him by the magistrates as Provost-Marshal to bring the bodies of the six officers composing the Criminal Court then sitting before the Governor and the magistrates immediately, and was not objected to by any person but myself; but after much conversation I carried my point by having the order sent from the Governor, which Mr. Gore afterwards thought better than the summons. Geo. Crossley particularly told the Governor that when the officers appeared before him he would be able to judge, with the advice of the magistrates, what steps could be taken.

1808

26 Jan.

Bligh summons the officers to appear before him at Government House,

Q. What observations were made by the assembly (Crossley and the gentlemen at Gov't House) to the last letter written by the Criminal Court, accusing Mr. Gore of direct perjury, on account of which Mr. McArthur's person was taken from their protection and put into goal?—A. The Governor determined not to give an answer to that or the former letter sent by the officers to him that day in consequence, as I understood, of their last letter the preceding day, stating that they had adjourned until the Governor's pleasure might be known; and I particularly pointed out to the Governor that if the six officers were considered a Court the preceding day in consequence of their statement, that the letters should not be answered, not having signified his pleasure, agreeable to their statement. Mr. Gore laughed at the idea of his being accused of perjury, and said to me, "Mr. Riffin, you was present the two last times I was in the Court; did you hear any such conversation?" I replied, "I did not"; but that the last time, as I was going away with the letter from the officers, Capt. Kemp called him and said, "Mr. Gore, you will officially say to the Governor that the Court adjourned until his pleasure is known," but that I did not hear that Mr. McArthur was ordered to his original bail, and in opposition to which I said, "How could it be the case when the officers had the preceding day closed an attested copy of an affidavit, taken before them, by Jno. McArthur, Esq're, in which, amongst other things, was sworn that he declined going on the bail which he had been brought before the Court by?" Mr. Gore agreed with me, and on Geo. Crossley giving his opinion that Mr. Gore could bring a civil action against the officers so accusing him, he determined to take that step. The Governor appeared to me to think that he could not, even after bringing the officers before himself and the magistrates, be able to do anything against them; but the Courts must be suspended and all proceedings go through the magistrates until the Governor arrived from England.

and decides to ignore their letter.

Macarthur's bail.

Q. Has it not come within the Governor's knowledge that Crossley has been convicted of corrupt and wilful perjury, for which crime he was sent to this country?—A. I suppose it has, by common report.

Crossley's antecedents and reputation.

Q. Has it not come within the Governor's knowledge that Crossley's conduct has been notorious during his residence in this country?—A. I do not know if the Governor is acquainted with it, but I have heard it spoken of.

Q. Do you know of any correspondence to the Governor direct or through me with Geo. Crossley?—A. I have mentioned one letter to myself, and

1808
28 Jan.

he has two or three times written to me saying that he was at Sydney, and I once saw a short letter to the Gov'r from Crossley on the subject of an Act of Parliament, to the best of my recollection.

Q. Do you know that the Governor has frequently sent express for Crossley to consult him on public business?—A. He has been sent for.

EDMUND GRIFFIN.

Examination of Mr. Robert Campbell, taken before Capt'n Anthony Fenn Kemp, Leut't Lawson, Mr. Grimes, and Mr. Blaxland, January 28th, 1808 :—

Macarthur
and the
stills.

Q. Were you ever present whenever any consultations respecting Mr. McArthur's stills were agitated, and who were present ; and do you know of any indictment being prepared by George Crossley previous to the one exhibited to the Criminal Court respecting the stills?—A. I was sent for, as Naval Officer, by note from the Governor, to bring certain documents respecting those stills, p'r the Parramatta schooner, which, I believe, was for the purpose of framing an indictment against Mr. McArthur. I was present when the indictment was brought to Mr. Griffin, and read by Mr. Griffin to the Governor. No comments were made by either party, and I don't know why the indictment was not acted upon, nor do I recollect if ever the subject was agitated in the presence of the Governor by George Crossley ; but I know the indictment was framed by George Crossley.

His
relations
with Atkins
and
Crossley.

Q. Do you know if the Governor was acquainted with any animosity subsisting between Mr. McArthur and George Crossley at the time, or with Mr. Atkins, the Judge-Advocate?—A. When the Governor received a letter from Mr. McArthur, and Mr. Atkins was sent for, he related the whole of their quarrel to the Governor respecting a bill of Mr. Bond's.

Q. Have you been present at any time within these few days when George Crossley was consulted by the Governor respecting the Criminal Court, or the officers then sitting, and who were present?—A. Yes, I was ; in company with Messrs. Palmer, Atkins, Gore, and Griffin, and Mr. Fulton.

The
consultation
at
Government
House.

Q. What was your determination respecting the members?—A. Mr. Atkins related what had passed to the Governor, which the Governor minuted down himself, and George Crossley, in his presence, impressed on the mind of the Governor that there could be no Court if the Judge-Advocate was not present, in which Mr. Atkins strongly concurred, and that the Judge-Advocate would not be displaced.

Q. What was the Governor's determination respecting the Court?—A. Patiently to let the members proceed, and see how they would act, agreeable to the advice of George Crossley.

Crossley as
the
Governor's
adviser.

Q. Do you not conceive that George Crossley was the principal adviser to the Governor respecting the Criminal Court?—A. Yes ; I do.

Q. Were any steps proposed to the Governor should the Court still persist, as a Court, to sit after receiving a letter from the Governor?—A. It was proposed to send to demand the papers left by the Judge-Advocate in the Court.

Atkins's
memorial.

Q. Did you ever see any memorial against the officers of the Criminal Court from the Judge-Advocate?—A. Yes, I did ; it was read and presented to the Governor, and the Judge-Advocate was sworn to the contents of it by all the magistrates present. The Governor quitted the room with George Crossley, and returned with a written paper ; and, on its being read, George Crossley recommended to the Governor to summons, through the Provost-Marshal, all the officers composing the Court before him and the magistrates immediately. Mr. Campbell proposed milder measures, by sending for the officers to attend himself.

Q. Who dictated the order to be sent for the attendance of the officers?—A. George Crossley wrote it in pencil, and it was altered by Mr. Griffin, at the wish of several persons present, to the shape it was sent in.

* See the memorial, ante, p. 430.

1808

26 Jan.

The officers summoned to Government House.

The arrest of Macarthur.

George Crossley.

Bligh and his adherents in consultation.

Crossley's advice.

Q. What was to be the mode of proceedings if the officers attended the order?—A. The memorial from the Judge-Advocate was to be read to them, and certain questions put to them, but what they were he does not know; but he understood, if they did not comply with the Governor's requisition, that the Commanding Officer was to be directed to put them under military arrest. That the magistrates, with the Governor, were to be assembled for the purpose of investigating the accusation made against the officers of the Court by the Judge-Advocate; and, if proved that they had acted treasonably, they were to be committed to jail; or, should they be committed on suspicion of treason only, that the offence was bailable.

Q. What observations were made by Crossley and the gentlemen assembled at Government House to the last letter written by the Criminal Court, accusing Mr. Gore of direct perjury, on which account Mr. McArthur's person was taken from their protection and put into jail?—A. It was a general opinion that no answer should be given to the letter, Mr. Atkins being then preparing an accusation against the Court, and George Crossley was absent with Mr. Atkins at Divine's house drawing out the Judge-Advocate's memorial.

Q. Does it come within your knowledge that the Governor is acquainted with the crime for which George Crossley was sent to this country, and that the Governor must be acquainted with Crossley's improper conduct during his residence in this country?—A. I conceive the Governor must have heard of it from report, but cannot positively say so.

ROBERT CAMPBELL.

The examination of Thos. Arndell, Esq., Magistrate at Hawkesbury, taken this 26th January, 1808:—

Q. Did you, about the time of the last muster, receive a letter from Governor Bligh to examine certain witnesses on oath respecting some treasonable and seditious words said to be spoken by Mr. MacArthur?—A. I did, in conjunction with Mr. Palmer.

Alleged seditious utterings Macarthur.

Q. And who did you examine in consequence of such letter?—A. Geo. Crossley, Mr. Hobby, Mr. Pitt, and James Badgery.

Q. What was their testimony on this occasion?—A. The testimony of George Crossley went to prove that he had heard Mr. Pitt say that Badgery had told him Mr. MacArthur had expressed in his presence certain defamatory words relative to the Government of this colony; but upon the examination of the other witnesses, it clearly appeared the whole of Crossley's evidence was false and ill-founded, and that no words had ever been made use of by Mr. MacArthur in any way applicable to what had been asserted by Crossley.

Q. Did you and Mr. Palmer, after finishing the depositions, forward them to the Governor for his examination?—A. Yes; they were taken by Mr. Palmer for that purpose.

Q. To-day, when you were sent for to Government House as a magistrate, was George Crossley in the room with the Governor when you entered?—A. Yes; he was.

Q. Who was in the room at that time besides the Governor and George Crossley?—A. The Judge-Advocate, Mr. Campbell, and Mr. Palmer.

Q. During the time you sat there as a magistrate, was George Crossley consulted by the Governor as to the measures to be taken with the officers composing the Criminal Court?—A. Yes; he was.

Q. What steps or measures did Crossley advise to be taken in this business, and did he not say the officers were guilty of treasonable practices?—A. Crossley said they were guilty of treasonable practices, and advised steps to be taken against the officers.

Q. Did the Judge-Advocate, Mr. Campbell, Mr. Palmer, and yourself concur in the opinion of Crossley?—A. Yes.

1808

26 Jan.

Q. It was then generally understood that the officers guilty of the above charges were to have been ordered before a Bench of Magistrates to-morrow, and there to have been committed to prison for detaining the papers brought into Court the day before by the Judge-Advocate?—A. Yes.

THOS. ARNDLL

(George Crossley's examination :—

26th January, 1808.

Crossley employed and consulted by Bligh and Atkins,

George Crossley being duly sworn, deposeth that he has been these three or four years employed by Mr. Atkin, the Judge-Advocate, to give him private law opinion on many occasions; that he was applied to by either the Governor or the Judge-Advocate to draw up an information against Mr. McArthur, respecting a charge made against Mr. Robert Campbell, junr, by Mr. McArthur, wherein Mr. McArthur had made use of inflammatory language, according to the Governor's opinion; the deponent gave his opinion that the language, being spoken before magistrates, could not operate against Mr. McArthur, and he believes the information was not acted on from that opinion; the deponent further declares that he was sent for by the Judge-Advocate, on the subject of a written message sent by Mr. McArthur to the Judge-Advocate, on the subject of a warrant sent to bring his person, on the complaint of some seamen belonging to the Parramatta schooner, to draw up an indictment against John McArthur, Esq're; he drew it up and delivered it to the Judge-Advocate; that the deponent drew up this day's memorial for the Judge-Advocate, stating that the six officers sitting on a Criminal Court were conducting themselves irregularly so as to create rebellion in the colony, to be delivered by the Judge-Advocate to the Governor, and that the Governor furnished the deponent with the copies of letters, which passed between the officers of the Criminal Court and himself, for the purpose of correcting the memorial of the Judge-Advocate; that he was employed by Mr. Gore in a late trial; that Mr. Gore took him to the Governor's to obtain his permission to plead for him; that he was employed in private by the Judge-Advocate against Mr. Gore, in an action against him by James Underwood, to draw up the indictment; the deponent has received from the Government within these four months, one cow and two bullocks to be paid for in wheat, at the rate of twenty-eight pounds for the cow, and the same for the bullocks, as he believes; that he got between eighty and ninety pigs at 5d. per lb. alive, and the sucking pigs at 4s. each, to be paid for in wheat, lately.

and by Gore.

Crossley at Government House.

Q. Have you had any private conversation with the Governor to-day?—A. I have been at the Government House to-day with the Governor, and been advising with him respecting the Criminal Court, then sitting, who would not dissolve by his direction.

Q. Did the Governor consult you how the officers composing the Criminal Court could be punished?—A. He did; and I recommended moderate measures—by recommending the Major to be sent for, or the officer next in command.

Q. Did you know the contents of the letters or summons written to the officers composing the Criminal Court this day?—A. I did.

Q. Did you know the contents of the letter written to Major Johnston this evening, accusing the officers of treason?—A. I did.

Q. Was you consulted on the propriety of that letter?—A. I saw no impropriety in it.

Q. Was you present at Sydney on the day the magistrates met to consult on the seizure of the bodies of stills, the property of J. McArthur, Esq're?—A. I was in the Court during the trial.

Q. Was you not sent for to Woolloomoolloo the next day to be consulted how Mr. McArthur could be punished for the language made use of before the magistrates?—A. I was sent for to look at the proceedings taken before the Bench, and to advise how far they were proper.

Q. Who sent for you?—A. The message came in the Governor's name.

Q. Who was present?—A. Mr. Griffin the Governor's Secretary, and Mr. Palmer. 1808

Q. Did the Governor consult you on the subject at any time?—A. I think it was by the Governor's desire; I was to give my opinion in writing. 26 Jan.

Q. Has it not been determined by the Governor in your presence that Mr. McArthur should be punished by pillory and imprisonment, or flogging?—A. No. In consultation with Griffin and Palmer.

Q. Did you not receive an assurance that you should be appointed to act in some legal capacity at the Court which assembled on the 25th inst.?—A. No.

Q. Did you not boast that if the officers objected to your coming into Court to assist the Judge-Advocate, that the Governor would take their commission from them?—A. No.

Q. Did you not tell James Lane so, or words to that effect?—A. No; I said to somebody that if the Governor gave me an authority, under the seal of the colony, I thought the Court would be very bold to object. Crossley and the Law Courts.

Q. Did you receive a written authority from the Governor to plead in any Court?—A. I did, in the case of Mr. Gore.

Q. Have you been bred to the law?—A. I have.

Q. What punishment has the law ordained on any attorney who has been convicted of perjury, that shall afterwards become an agent, or be concerned in any suit pending before every court of justice?—A. None after a pardon, or in this country at any time. GEO. CROSSLEY.

Examination of Reverend Mr. Fulton :—*

Q. Has not Geo. Crossley, within these few days, been in the habit of being consulted by the Governor concerning the Criminal Court?—A. Yes. Crossley consulted by Bligh.

Q. Did you not see all the letters addressed from the Court to the Governor, and relate your opinions concerning them?—A. It was thought by the Governor and Crossley and himself that another Judge-Advocate could not be appointed, unless he was temporarily suspended or legally deprived of his commission.

Q. Do you think it consistent with justice, or the honor of His Majesty's Government, that any man should be screen'd from the payment of his debts?—A. No; certainly not.

Q. Do you think, if any man claimed a debt of the Judge-Advocate, that he should be deprived of his commission to enable the person to commence a prosecution for the recovery of it?—A. I have heard in those cases the Judge-Advocate would be suspended. Protests against Atkins.

Q. If the Judge-Advocate would be suspended because a debt was claimed from him, on what ground did you give your opinion that he could not be suspended for a criminal act charged against him by the Court?—A. Because I did not think the Court was complete.

Q. Do you think it consistent with justice or equity that a man who is accused of enormous crimes by a prisoner, which crimes the prisoner produces incontrovertible evidence to prove, ought to be allowed afterwards to sit as judge on his trial?—A. I never heard that the allegations of a prisoner ever set aside a judge of the Court.

Q. Have you not, within the space of a few weeks, told Mr. Jamieson, at Parramatta, that Mr. McArthur would receive a sentence of fine and imprisonment?—A. I believe I said it was probable he would, if convicted. Fulton's private opinions.

Q. Did not Mr. Jamieson reply, "For shame, Mr. Fulton! Would you imprison a man with a wife and family"?—A. I do not recollect.

Q. You were of opinion that the officers of the Criminal Court should be committed to gaol?—A. I candidly acknowledge I was.

Q. After the memorial of the Judge-Advocate's, composed by Geo. Crossley, was read, what was the determination of the Governor and magistrates,

* Acting-Chaplain during the absence in England of the Rev. Samuel Marsden.

1808

26 Jan.

Crossley's
opinion.

and others, assembled at Government House?—A. If it appeared from ignorance they had proceeded in the way they had, they could not be committed; but if it appeared from their answers that they clearly comprehended the nature of their crime, they were to be committed. That was Crossley's opinion.

Q. Was it Crossley's opinion that, if the officers persisted in being a constituted Court, on coming before the Governor and magistrates, according to the orders, "that no steps could be taken against them"?—A. I do not recollect.

Q. Was any plan determined on for conducting the Court of Justice, should the six officers be committed?—A. I did not hear any.

Macarthur
to remain in
gaol.

Q. In consequence of Mr. McArthur being committed to gaol, was it not the determination of the magistrates, with the Governor at their head, to bring the prisoner before them—meaning Mr. McArthur—and try him for the charges exhibited against him, and pass sentence upon him?—A. I understood that Mr. McArthur was to remain in gaol till there was sufficient officers to try him.

HENRY FULTON.

The examination of John Palmer, Esq. :—

Palmer as a
magistrate.

Q. How long have you been appointed by Gov'r Bligh to act as a magistrate?—A. About five or six months.

Q. During that period, have you not frequently met at Government House with other magistrates to take into consideration different matters relative to the colony?—A. Yes.

Q. In deliberations of the above nature, has not George Crossley been frequently present and consulted?—A. Yes, he has in points of law, as he was supposed to be better acquainted with them than any other person.

Q. Shortly after the decision of a Bench of Magistrates respecting two stills, did you never hear that an information or indictment was to be preferred against Mr. McArthur?—A. I did not hear anything about it till very lately.

An
examination
at the
Hawkes-
bury.

Q. Do you recollect going to Hawkesbury to take the last muster?—A. Yes.

Q. Did you not at that time assemble the magistrates together in consequence of an information given by George Crossley respecting Cap'n McArthur, which you had forwarded to the Governor, and which had been returned to you for that purpose?—A. Yes.

Q. Have the goodness to state what was the nature of the information, to the best of your recollection?—A. I cannot now charge my memory with it.

Q. Do you positively say, upon your oath, that you have not the smallest recollection of any proceed'g that took place on that occasion?—A. I recollect that Mr. Badgery, Mr. Pitt, and Mr. Hobby were called.

Crossley
implicates
Macarthur.

Q. By whom were they called?—A. By me and Mr. Arndell respecting Cap'n McArthur.

Q. Was George Crossley present?—A. He was present when Mr. Pitt was called.

Q. Was George Crossley sworn at the time he appeared before you?—A. Yes; he was the first person sworn.

Q. What was he sworn to?—A. To the best of my recollection to some conversation which had passed between him and Mr. Pitt.

Q. Did you not, previous to the examination of the above persons, think or believe the charges you understood Crossley was going to exhibit respecting Capt'n McArthur were of a serious nature?—A. No; I did not.

Q. Who first made the communication which caused you and Mr. Arndell to assemble concerning Capt'n McArthur?—A. Mr. Crossley, to the best of my recollection.

Q. Was it verbal or in writing?—A. I think it was in writing.

Q. Previous to you and Mr. Arndell's assembling, had you any communication with the Governor concerning it?—A. Yes.

Q. How came that communication to be made to you?—A. By my enclosing Crossley's letter to the Governor to know if I should take any notice of it.

1808

26 Jan.

Q. You state in part of your evidence that Crossley was sworn to some conversation between him and Mr. Pitt;—was that conversation of the same nature as the information contained in George Crossley's letter to you?—A. I suppose it must have been, but I cannot recollect.

Q. Was the evidence of all those that were examined tending to the same purport?—A. I suppose so.

Q. Did the information given on oath by George Crossley, and the evidence given by Mr. Scott, Hobby, and Badgery agree?—A. I do not think they did, to the best of my recollection. Contradictory evidence.

Q. As the evidence of George Crossley and the witnesses you think did not agree, as a magistrate sworn to do justice between all parties, why did you not commit Crossley?—A. I did not know I had the power to do it, nor did I think it necessary. I sent the documents to the Governor for his inspection.

Q. By whom were the depositions of Crossley, Badgery, Pitt, and Hobby, taken?—A. I do not recollect; I might have taken them myself.

Q. Did you, at the time of taking the above depositions, think Capt'n McArthur obnoxious to the Government of the colony?—A. No; I did not.

Q. Was you not a member of a Bench of Magistrates when Capt'n McArthur was committed to take his trial at a Criminal Court?—A. Yes.

Q. In consequence thereof, does it come to your knowledge that any information or indictment has been prepared against Mr. McArthur?—A. I do not know. The indictment against Macarthur.

Q. Did you ever hear or know of such a thing in agitation; and, if so, from whom?—A. I have, but cannot speak positively from whom.

Q. Do you say upon your oath that you cannot bring to your recollection any one individual from whom you have heard it?—A. I cannot at this moment.

Q. Did you never hear Mr. Campbell mention it?—A. I might, but cannot speak positively.

Q. Did you never hear Gov'r Bligh, Mr. Gore, or Mr. Griffin mention the circumstance?—A. I might, but cannot speak positively.

Q. Have you not been subpoenaed to attend a Criminal Court on Mr. McArthur's trial on behalf of the prosecution?—A. Yes.

Q. Have you ever seen certain questions, or heard them read from a written paper, that you understood were to be asked you in the course of your examination?—A. Yes, I think I have, but did not pay any attention to them. Drafting the questions.

Q. Who were they shown to you by?—A. I think by George Crossley.

Q. Where did Crossley show you those questions, and who was present?—

A. At my own house, and no person present that I remember.

Q. Did Mr. Atkins never speak to you concerning them?—A. He might; but I cannot charge my memory.

Q. Was you sent for yesterday to Government House as a magistrate?—A. Yes, I suppose so.

Q. What time was you sent for?—A. Overnight; the Governor had directed me to be there by 8 o'clock in the morning.

Q. Was there, in the course of the morning, a meeting or consultation with the magistrates besides yourself on any particular business?—A. Yes, there was.

Q. During the different periods you was present as a magistrate at the consultations, mention the names of every person who was likewise present?—A. Mr. Campbell, the Governor, Mr. Griffin, Mr. Fulton, Mr. Gore, Mr. Atkins, George Crossley, occasionally in and out of the room. Bligh and his adherents.

Q. Was you present when any letter or letters was sent by the Criminal Court to the Governor?—A. I do not know; if I was it was not above one.

Q. When that one letter came did you read it or hear it read, and what remarks were made upon it?—A. I do not remember.

1808

26 Jan.

Q. For what purpose did Mr. Campbell leave the meeting or consultation at Government House to go to George Crossley?—I understood he went to see if Mr. Atkins's memorial was done.

Q. Did you hear Mr. Atkins's memorial read, and who was in the room at the time?—A. The Governor, all the magistrates, Mr. Fulton, Mr. Gore, and, I believe, George Crossley.

The officers
to be
summoned
to
Government
House.

Q. After the memorial was read, what measures were recommended by the magistrates and George Crossley to be adopted respecting the members composing the Criminal Court?—A. To summon them to appear before the Governor the next morning at 9 o'clock.

Q. Did not George Crossley say that those officers were guilty of treasonable practises?—A. I cannot positively say; but I think he did, or words to that effect.

Q. Did not the Judge-Advocate, Mr. Campbell, Mr. Arndell, and yourself concur in opinion that the officers were guilty of treasonable practices?—A. They concurred in the opinion of the propriety of sending notices to the officers.

Q. Were not those officers to have been committed to prison for detaining the papers brought into Court the day before by the Judge-Advocate?—A. Not that I recollect.

Q. If those officers had appeared before the magistrates and not have given what they, the magistrates, might have considered a satisfactory reason for detaining those papers, from the conversation which took place on that subject between the magistrates, what was to have been done with the officers?—A. I cannot say.

The arrest of
Macarthur.

Q. Was you not one of the magistrates before whom Mr. Gore, the Provost-Marshal, made oath that Capt'n McArthur had escaped from his custody, and in consequence signed his committal to the county gaol?—A. Yes, I was.

Q. At what place did you sign the warrant—at the Judge-Advocate's office or at Government House?—A. At Government House.

Q. Was Governor Bligh present at the time, or in any way made acquainted with the oath Mr. Gore had taken, and the purport of the warrant?—A. The Governor was backwards and forwards in the room, and therefore cannot say.

JNO. PALMER.

Examination of Richard Atkins, Esquire :—

27 Jan.

27th January, 1808.

Examina-
tion of the
Judge-
Advocate

Q. Were you present at a Bench of Magistrates—and there sitting as a magistrate—when Capt'n McArthur brought forward a charge against Mr. Rob't Campbell, junr., for having illegally taken from the dwelling-house at Sydney, then and at present occupied by Mr. Blaxcell, two copper boilers, or bodies of stills?—A. I was.

on the
seizure of
stills.

Q. From the circumstances that appeared in the course of this investigation, and for reasons which appeared to the Bench during the examination, did you not, as one of the magistrates, give it as your opinion that the seizure of the boilers—or stills—was irregular and illegal on the part of Mr. Rob't Campbell, junr.?—A. I did.

He reports
decision to
Bligh.

Q. Upon waiting upon Gov. Bligh (as we understand is usual) with the proceedings of the Bench of Magistrates, did not the Governor express his disapprobation as to your decision; and if he did, what was the language he made use of?—A. To this question Mr. Atkins answers: That, agreeable to the usual practice of the Judge-Advocate producing to His Excellency the Governor the proceedings of the Bench of Magistrates, he went up, accompanied by Mr. Palmer, Mr. Campbell, and Mr. Gore (the Provost-Marshal). That being introduced into the Governor's presence he read, according to custom, the proceedings of the Bench upon that occasion. I will not take upon myself to say whether or not the Governor expressed by

words his disapprobation, but from appearances my feelings told me that he did. A conversation and observations from Mr. Campbell, Mr. Palmer, and Mr. Gore took place, in which they expressed their strong disapprobation of the opinion I had given, and that it appeared to me I was the butt of their sarcasm on that occasion. That His Excellency the Gov'r then said, "Never mind it ; it will do."

1808

27 Jan.

Q. Did not Mr. Crossley prepare a memorial accusing the officers composing the Criminal Court of treasonable practices?—A. He did ; and for the truth I refer to the papers now in the possession of Lieu't Lawson.

Q. Has not Gov'r Bligh, to your own knowledge and in your presence, consulted Geo. Crossley what steps were to be taken against the officers composing the Court of Criminal Judicature after you had quitted your seat as Judge-Advocate ; and if so, what was Crossley's opinion? A. Upon my quitting the Court I proceeded to Government House, accomp'nd, to the best of my recollection, by Mr. Campbell, Mr. Palmer, and Mr. Griffin. We went up to the Governor's office, and there I either found Mr. Crossley or Crossley entered a few minutes afterwards. That it then became very naturally the topic of conversation what was necessary to be done upon the occasion alluded to. Various opinions were given upon so momentous a subject and Crossley's opinion was often resorted to. It is impossible for me to express the exact words Crossley said upon that occasion, but the tendency of them was thus : "That it was his opinion that as six members of the Criminal Court had taken upon themselves to adjudicate without the Judge-Advocate, that it was a treasonable offence." In corroboration of what I have now asserted, I beg leave to refer again to the papers in the possession of Lieu't Lawson, where that opinion will be confirmed in Crossley's own handwriting.

Bligh
consults
Crossley.

An act of
treason.

Q. What was the opinion of the gentlemen assembled at Government House, provided the officers attended the summons and had been found guilty of the treasonable practice they were accused of?—A. I find some difficulty in answering this question. It plainly appears that by a letter* written by Gov. Bligh to Major Johnston, the Commanding Officer of the New South Wales Corps, intimating to him that he had ordered six officers in his Corps to appear before him and the Bench of Magistrates, the result of those gentlemen's appearance and the investigation that would naturally have taken place would have been their guide as to the complexion of the crime they might or might not have been guilty of ; but it was upon talking the matter over, I gave my opinion that the most that could have been done was to make it a bailable offence. I do further declare upon the oath that I have taken that in my opinion it ought not to have been a subject of investigation at that time.

Dealing with
the officers.

Q. Do you as a law officer conceive a Bench of Magistrates competent to judge of an offence of that nature—meaning treasonable practices?—A. I think that a Bench of Magistrates can take cognizance of any crime whatever so far as to justify them to commit for any offences whatever, but not to decide on the guilt or acquittal of those persons, which must be left to the decision of a superior Court.

Magisterial
functions.

Mr. Atkins's candid offer to disclose every improper measure that he has been forced to sanction, from being completely under the influence of the Governor, and that he has been obliged to do things officially altogether repugnant to his better sense, and entirely to keep his situation, being a dependant man, made him act as he did or has. Mr. Atkins states that when he received a letter from Messrs. Blaxcell and Bayly, offering to give bail to any amount for the person of Mr. McArthur, in the presence of the Governor, Campbell, Palmer, Fultou, Gore, and Crossley, that Mr. Atkins felt inclined to give an answer, but Geo. Crossley said, "Let no answer be given."

Atkins's
admissions.

1808

27 Jan.

An adverse
party.

Mr. Atkins states that he never saw the letter to the Governor from the Court accusing Mr. Gore of direct perjury.

Q. Does it not come to your knowledge that Mr. Gore has said, "There is a conspiracy against the Gov'r of which Mr. McArthur is the head"?—

A. I answer that Mr. Gore has frequently intimated to the Governor that there was a party forming against him; but that I never heard him say that Mr. McA. was at the head, as far as my recollection serves me.

Mr. Atkins declares that Geo. Crossley informed him that there had been an indictment drawn out by him against Mr. McA. respecting two stills imported by him (Mr. McA.) in the Dart, and that he (Crossley) had persuaded the Governor not to act upon it at that time; but that upon the last business taking place, the Governor had insisted that, contrary to his (Crossley's) opinion, and likewise contrary to mine, when Crossley informed me a few days back that the Governor insisted that that charge should make the first comp't in the intended information.

Framing the
indictment
and
questions.

Mr. Atkins declares that the whole of the questions to be asked the seven witnesses against Mr. McArthur were written and framed by Geo. Crossley, and that among the papers now in Lieut. Lawson's possession, the several questions to be put to the different witnesses are in the handwriting of Mr. Griffin, the Gov'r's Sec'y; and I further declare that not a single question was framed by me, but that the whole was the composition of Crossley; and I further declare that prior to Crossley reading me those questions he informed me that he had read them to the Governor, and they were approved by him.

George
Crossley.

Mr. Atkins says that Mr. Palmer applied to him in the presence of Crossley, and said that he wished to have a copy of the questions to be asked him that he might be enabled to answer them; and, addressing himself to Crossley, said, "You promised me a copy." Crossley answered, "You shall have them immediately," or to that effect, which conversation took place in Mr. Atkins' house.

RICH'D ATKINS.

Bligh
charged with
influencing
Judge.

Q. to Mr. Atkins, 28th January, 1808. Has not the Governor at different times endeavoured to influence your opinion in civil causes before you prior to the Court giving their decision?—*A.* He has frequently, and has frequently told me that he was the law-giver in this colony, and woe be unto any man who dared disobey him, for his order was equal, or of the same effect, as the laws of England.

Q. You have performed the duty of Judge-Advocate for many years in this colony;—has it not always been the custom previous to Governor Bligh's taking the command that the members chosen upon the Civil Court were elected by ballot?—*A.* It was my usual practice to put down upon papers the names of such gentlemen who were eligible to sit as members of the Civil Court, which list was submitted to Gov'r King. The names were then placed in a hat, and the two first drawn were the members ordered on that duty.

Q. What method, in choosing members for Civil Courts, has been adopted by Gov. Bligh? *A.* He chose them himself. I generally gave a list, and the Governor pointed out two.

RICH'D ATKINS.

AN INQUIRY INTO BLIGH'S ALLEGED APPROPRIATION FROM THE PUBLIC STORES.

The examination of Mr. Robert Fitz, Deputy Commissary :—

27th January, 1808.

Q. You have been a Deputy Commissary in this colony about 17 months?—*A.* Yes.

Q. During which time (until within a few weeks) you attended on duty at the Commissary's office?—*A.* Yes.

Q. Relate what you know as to the appropriation of His Majesty's stores? —A. Governor Bligh has regularly been supplied with cloathing for all his servants, and for which I believe no charge is made in the books of the office. The Governor has also been supplied with spirits from the bonded store, and at one time took for his use a quantity of port wine, and a few days prior ordered wine to be purchased from Mr. Campbell at £3 10s. per dozen for the use of the general hospital.

1808

27 Jan.

Alleged appropriation of stores.

Q. What quantity of port wine, as you suppose, was taken by the Governor?—A. As far as I can judge, about a pipe.

Q. What quantity of wine was purchased of Mr. Campbell?—A. I cannot recollect the quantity, but what was purchased was paid for by a bill on His Majesty's Treasury.

Wine supplied to Governor.

Q. Has Mr. Palmer, the Commissary, been in the habit of issuing articles from the King's stores without previously obtaining the Governor's permission for that purpose?—A. He has.

Q. Does it come within your knowledge that articles have been sent from the stores to the Hawkesbury, where they have been appropriated to the private use of Governor Bligh?—A. Yes; but having been at Hawkesbury only a week I cannot speak to any more than a quantity of nails.

Q. What number of convicts are victualled from the public stores belonging to Governor Bligh's farm at the Hawkesbury?—A. Upwards of 20. I believe 27 besides Captain Putland's men.

Convicts on Bligh's farm.

Q. What quantity of spirits has there been lately sent up to the Hawkesbury to be issued to the settlers under your directions?—A. 1,040 gallons by gauge, which yielded 1,047 by issue.

Q. How was it distributed, and how was it paid for?—A. It was distributed in stipulated quantities by the Governor's orders, and paid for by wheat turned into store, the receipts being first signed by the storekeeper, and then given to me.

Q. Does it come within your knowledge that other hospital necessities, exclusive of the port wine, as well as different kinds of goods sent out by Government for barter, have been taken by Governor Bligh, and appropriated to his private purposes?—A. I know of a quantity of curled hair, as well as candles, duck, and other articles, as it was always customary to comply with all orders sent by the Governor for the issue of stores.

Q. Do you know of a quantity of oil having been purchased by Mr. Commissary Palmer of his brother-in-law, Mr. Campbell, for the public use, and what price was paid for it per gallon?—A. I cannot speak as to the quantity, but what has hitherto been paid for was at 4s. per gallon.

Oil purchased by Commissary

Q. At the time Mr. Palmer was giving 4s. per gallon for oil, does it not come within your knowledge that he could have purchased it elsewhere at 2s. 6d.?—A. Mr. Lord has informed me that he offered oil at that price.

Q. Does Mr. Palmer still continue to take oil from Mr. Campbell as he wants it for public use?—A. Yes.

Q. Has Mr. Palmer to your knowledge any share in the oil which he gets from Mr. Campbell?—A. I have heard that he has.

Q. Do you issue stores at Hawkesbury by your own authority, or do you receive orders for that purpose from the resident magistrate?—A. I receive orders from the magistrate.

Examination of James Wilshire, Deputy Commissary :—

Q. Up to what period have you given in to Governor Bligh the return of expenditure of grain and provisions in your charge, and the quantity of each article remaining?—A. I cannot tell without referring to my books; but I believe it is three weeks or a month since I gave the Governor my return.

Grain returns.

* Governor Bligh had a farm at the Hawkesbury, and the tendency of the question was evidently to establish a wrongful appropriation of Government property to private purposes in connection with the farm. Captain Putland also had a farm close to the Governor's.

1838

27 Jan.

Palmer's
account with
the stores.

Q. Has not Mr. Commissary Palmer taken from you stores at various times--wheat, flour, and maize--which to your knowledge has been converted to his own private purposes as a baker?—A. Yes, he has.

Q. You say he has taken grain and flour at different times; but, it is to be presumed, not without an intention of replacing it; does he, therefore, at this time stand indebted to the store in any quantity of the above articles?—A. To the best of my recollection, he owes the stores 100 bushels of wheat, about 2,000 lb. of flour, and 100 bushels of maize; but it can be more correctly ascertained by referring to my books.

Trafficking
in wheat.

Q. Does it come within your knowledge that Mr. Commissary Palmer has been in the habit of directing maize to be received into His Majesty's stores, and ordering the same to be noted in the books as wheat received, charging one bushel of wheat to two bushels of maize?—A. Mr. Palmer at one time standing indebted to the stores between two and three hundred bushels of wheat, said he had a quantity of maize which he would turn into the stores, two for one—that is, meaning two bushels of maize for one bushel of wheat. He put a quantity of maize into the stores at that time; but, from information which I conceive he received of this transaction being known, he directed me to give him credit for the maize, and afterwards made good the wheat for which he then stood indebted.

Q. What was the price paid for maize received into the stores at the time Mr. Palmer turned in the above quantity?—A. Six shillings per bushel.

Q. What was the price of wheat?—A. Fourteen shillings and ninepence per bushel.

Examination of Mr. John Gowen, Superintendent of Stores :—

The superin-
tendent's
evidence.

Q. Are all orders for the issue of any stores directed to you?—A. After being countersigned by Mr. Palmer.

Articles
issued to
Palmer.

Q. Do the orders state how the articles are to be paid for?—A. Generally.
Q. Has Mr. Palmer since Governor Bligh's command received any articles from you?—A. Mr. Gowen produces a list of the articles issued to Mr. Palmer for which he has received his verbal orders, who said he would at a future period give him the Governor's order; also two boxes of candles which he does not know if entered.

Q. Do you know if the articles in the list have been paid for?—A. They have not been paid for nor are they entered in the day-book.

Q. Has Mr. Palmer not received any other articles from the stores under your charge?—A. None without being regularly entered.

Charles
Thompson.

Q. Has Charles Thompson received any article since Governor Bligh's command from your stores, and by whose order?—A. He has received considerable quantities, both in his own name and others, by orders signed by Governor Bligh, and countersigned by Mr. Palmer, that the articles so delivered have been paid for either in wheat receipts, or copper coin on delivery.

Q. Do you know that Charles Thompson is in the constant habit of retailing the articles he has received from the stores at a great advance?—A. Charles Thompson keeps a public shop, but the deponent never was in it, but by common report has heard he does sell such articles.

Q. Who have received the boxes of candles from the stores?—A. The officers only.

Andrew
Thompson.

Q. Has not Andrew Thompson* received stores on the public account by the Governor's order?—A. He has, in large quantities.

Q. It is not customary to send all articles for the public use to the Commissary or storekeeper having charge of distant public stores?—A. Since

* Andrew Thompson was chief constable at the Hawkesbury; he was in charge of Bligh's and Putland's farms there. See his evidence, post, p. 450. Compare also his letters to Bligh, dated from the farm at the Hawkesbury, ante, pp. 262, 267, 270, 307, 339.

Governor Bligh's command, articles have been sent to individuals and not to the Commissary or storekeeper either at Parramatta or Hawkesbury, which mode was never practiced by any former Governor.

1808

27 Jan.

Q. Have you ever received Mr. Palmer's or any other private notes in payment for articles delivered from the stores you have the charge of?—A. I have received private notes and keep them until I have an order from the Commissary (sometimes verbally from Holmes, the office-keeper) for sums of money when he takes the person's receipt for the sum so delivered, and charges in my account to the Commissary.

Private notes for Government stores.

Q. Have you not received more of Mr. Palmer's notes than any other persons?—A. I have, by the particular direction of Mr. Palmer, received his notes in preference.

Q. Has not Thomas Abbott, dealer, received quantities of stores from you, and by whose order, and how paid for?—A. Thomas Abbott has received articles from me. Most of the orders were signed by the Commissary, Mr. Palmer only expressing that they were to be charged to Mr. Palmer's account.

The Commissary's account.

Q. Do you within your knowledge know that Thomas Abbott sells the articles he has received from the public stores openly in his shop?—A. I never was in Thomas Abbott's shop, but have heard he does.

Q. Has Mr. Campbell received any articles from the dry stores, by whose order, and how paid for?—A. Mr. Campbell has received 312 yards of canvas by Mr. Palmer's verbal order only in Dec'r, 1806, expressing that it was to be replaced the first supplies. It has not been returned, nor entered in the day-book.

Examination of Mr. William Baker, storekeeper, at the River Hawkesbury :—

Q. Are you the storekeeper at the Hawkesbury?—A. I am.

A store-keeper's evidence.

Q. What receipts do you give for stores sent under your charge?—A. A list is sent by the Commissary, and I give a receipt on the delivery.

Q. In what manner is grain received into your stores?—A. I give receipts for all grain I receive, which receipts are taken to the Commissary's office; and should the person be indebted to the Government the amount is placed to their credit, but does not know how the persons are paid should they not be indebted to the Crown.

The method of receiving grain.

Q. Has there been any irregularities in your department in the expenditure of public grain under your charge?—A. About three months since, when the stores were not open for the general receipt of Indian corn, I was directed personally by Governor Bligh, in the presence of the Commissary, to receive the Indian corn which had been grown on a purchased farm of Gov'r Bligh's on the Hawkesbury River, and directed by the Governor to make out receipts for the grain so taken into the stores in the name of Andrew Thompson, and that since that period the deponent has issued weekly from the stores eight bushels of maize for the private use of Governor Bligh's farm; and the Governor in the presence of Mr. Palmer (the Commissary) ordered me to expend the corn to be issued in my public returns as issued for the use of Government stock. Another irregularity, about four or five months since, was that the deponent was verbally ordered by Mr. Palmer, the Commissary, to issue to his (Mr. Palmer's) overseer of his farm at the Hawkesbury twelve bed ticks for the purpose of making bags for carrying grain, saying, "You know how to expend them." The bed-ticks were issued and not entered in the issue book of the store. Mr. Baker further states that from 27th August, 1807, the period that Governor Bligh purchased Tyler Farm at the Hawkesbury, thirty-three men have been victualled from the public stores, and one woman, who were employed on the Governor's farm. That when called on at the general muster about ten weeks since, as usual, to answer for the number of persons victualled,

Irregularities at the Hawkesbury.

1808

27 Jan.

he was desired by the Commissary (Mr. Palmer) not to take any notice of Governor Bligh's servants, and fifteen of the number were accounted for by Andrew Thompson, the Governor's bailiff or overseer of his farm, and principal constable at the Hawkesbury, as employed in the camp gang, which gang are supposed to be working for the sole advantage of the Crown. There are now victualled six men on the farm of the late Captain John Putland from the stores at the Hawkesbury.

Palmer's
alleged
irregu-
larities.

Q. Did you at any time receive payment for grain from Mr. Commissary Palmer which was not put in the public stores?—A. Previous to Mr. Palmer's leaving the colony for England, Mr. Palmer was indebted to the deponent £53 sterlg., and Mr. Palmer directed a receipt for grain put into the public stores (but does not recollect in whose name) to be made out by one of the clerks. The deponent is to his own knowledge certain that the grain was never put into any public store, and the deponent did receive the receipt as payment of the above sum of fifty-three pounds sterling.

Examination of Andrew Frazier :—

The baker's
evidence.

Q. You are the baker belonging to Mr. Palmer, the Commissary?—A. I am; but the bakehouse business is conducted in the name of Christopher Palmer.

Q. Have you ever received grain from the public stores and baked it either into biscuit or bread, and by what sort of order did you receive such grain from the public stores?—A. I have received grain very often from the public stores, by order of my master, Mr. Commissary Palmer, sometimes expressing the particular service for which the grain is to be expended—and sometimes for the Government use.

Defrauding
the Govern-
ment.

Q. Are you certain all the grain you have so received by the several orders has been absolutely expended on public services in its kind?—A. When I receive wheat from the public stores for the purpose of baking into biscuit for the Colonial vessels, or any other public service, I am directed and do mix, by order of my master, Mr. Commissary Palmer, a certain proportion of maize or barley, the private property of Mr. Palmer, and issue for the Government use a quantity of biscuit equal to the weight the wheat would have produced. This has been the custom since Governor Bligh's command; but during the government of Governor King, I always received the different kind of grain of which I made public biscuit from the stores, in the proportion I made such bread.

Q. Is not the wheat you receive from the public stores, if baked without any mixture, of more value than the biscuit or bread you issue on the public account?—A. It is.

Q. Is not the grain which you bake into biscuit or bread for public services ground at the public expence, and are you not paid a certain sum of money per cwt. for your labour in making such grain into bread?—A. Seven shillings and sixpence per cwt. is allowed and paid for in grain from the public stores at the current price; the grain is always made into flour at the public expence.

Examination of Andrew Thompson :—

Thompson
at the
Hawkes-
bury.

Q. Have you the management of the public business at the Hawkesbury?—A. I have, under Mr. Arndell. There are above an hundred men victualled by Government. There are from twenty to thirty men employed on Governor Bligh's farm; there has been thirty victualled by the Crown. There are seven at Captain Putland's farm now. I have drawn various supplies for Governor Bligh's farm from the public stores. I have the account. I have drawn quantities of stores on my own account from the public stores, which are paid for, and I have credit, I believe, with the Commissary. I have the charge of Governor Bligh's private concerns at the Hawkesbury.* Twenty cows with calves were drawn from the public herds on account of Governor Bligh, and eight cows heavy in calf on account

Bligh's live
stock.

* Ante, pp. 262, 267, 270, 307, 389, and 410.

of Captain and Mrs. Putland. Seven or eight of the cows without their calves were returned to the Government herds, and an equal number drawn in calf on Governor Bligh's account. There were twelve of the best sows in pig drawn from the Government drove at Castle Hill, and a boar, and thinks (but can ascertain it by his returns) that six were returned after pigging, without their young ones, to Castle Hill. That they were fed by grain or refuse grain from the public stores, and driven into the woods in the day time on account of Governor Bligh. That there were pigs afterwards received both from Sydney and Castle Hill, said to belong to Governor Bligh. There has been a large quantity of cedar received on account of the public and Governor Bligh. That I have had a quantity of cedar from the mountains on my own account without duty by permission from the Governor. Part of the cedar has been appropriated to building pews in the church at Hawkesbury. The pew marked No. 1 is built for the Governor. Andrew Thompson's name is marked on pew No. 2. The magistrates pew will come in about No. 14. The pew marked No. 2 was built by the public labourers and in part by the public timber. I manage the Governor's dairy concern at the Hawkesbury and dispose of his milk at 10d. per quart. I take grain in payment for the milk, which grain I have on hand. I have about seventy or eighty pounds sterling worth of grain on account of milk belonging to Governor Bligh. I have put into the stores about two thousand bushels of grain within these twelve months on my own account, but will give an exact return. I have about thirty convicts in my employ, most of them good men. I picked them when I had an opportunity. I drew one hundred and ten gallons of prize spirits by Governor Bligh's permission, about two months ago, for which I am to pay about 8s. per gallon, and have sold it in small quantities at from 18s. to 20s. per bottle. I have received during the last twelve months about three hundred gallons exclusive of the prize spirits. I have never had any Colonial distilled spirits to my knowledge in my house, within this last twelve months, or had any sold on my account. George Crossley has informed me he was consulted by the Governor. George Crossley has informed me that the charge against Mr. McArthur was liable to be punished by fine, imprisonment, or pillory, but that he thought it would not reach the pillory in this colony. Since the Criminal Court has been sitting, Geo. Crossley has spoken about the Judge-Advocate leaving his seat, and said that they were not a Court without the Judge-Advocate. I have been consulted by the Governor on public affairs and some things of little consequence about the officers. That I have been on very good terms with the Governor. I have heard that the Governor has said that he preferred sitting down with an Hawkesbury settler than an officer, and is not certain Governor Bligh did not tell him so. The Governor has about seventy or eighty sheep on his farm, originally drawn from the public flocks. The Governor has a shed on his farm of about two hundred feet long, weather-boarded and shingled, with a barn of brick 50 ft. by 18, a brick house about 50 by 14 feet containing three rooms, and there is another house of nearly the same dimensions now building. All the buildings were completed by the labourers of the Crown. I imagine the buildings would cost an individual upwards of a thousand pounds; but I can give a nearer estimate. Nine oxen were generally employed, fed by grain from the public store. James Simpson has had two men fed by the Crown, from nearly the time that Governor Bligh purchased his farm, one as a settler and the other as a constable, that I passed my note for the purchase of the farm, £100, which was to be paid me from the produce of Governor Bligh's farm put into the store. I hold Governor Bligh's memorandum to that effect. I have no particular instructions from Governor Bligh about his farm, but I have been informed by Governor Bligh that the stock and articles drawn from the store were to be paid for, and he wished everything to be fair and honorable.

1808

27 Jan.

Timber for the local church.

Selling milk for the Governor.

Prize spirits.

George Crossley.

Buildings on Bligh's farm.

Purchase of part of farm.

1808

Examination of Mr. John Jamieson, Superintendent of Stock :—

New South Wales, 28th January, 1808.

27 Jan.

Cattle as presents.

Live stock for Bligh's farm.

Cattle on approval.

The pick of the herd.

Squaring the accounts.

Fresh meat for Government House.

Q. What orders have you received to deliver cattle to individuals, by Governor Bligh, as a present?—A. Mrs. Putland, two cows; Mr. Williamson, one cow; Mrs. Fitz, one cow; Mr. Fulton, one cow (not expressed if a present or not); George Crossley, one cow and one bullock (not expressed, as usual, if a present, or to be paid for); Mrs. Gore, one cow.

Q. What number of cattle or stock of any kind have you delivered by Governor Bligh's orders for his own private use or advantage?—A. Twenty cows, and twenty calves by their sides, consisting—male 5, and 15 female; one bull, thirty ewes, and thirty lambs (the lambs—males, 15; females, 15; six sows in pig, and one boar; six sows went to Governor Bligh's farm without Mr. Jamieson's knowledge, which sows were likewise in pig. On Mr. Jamieson's making inquiry from the overseer who had charge of the pigs, why he delivered the six sows without his direction, was informed that an order had been sent by Mr. Palmer, the Commissary, for their delivery. Mr. Jamieson conceives that his having taken notice of the irregularity in his department was the cause of the six sows being returned to Castle Hill (from whence they were taken), but in bad condition. They left the Government drove in pig, and, after being absent six or seven weeks, they were returned not in pig. Mr. Jamieson, to the best of his belief, conceives the six sows that were returned, on their being taken from the Government drove, must have been within about a week of the time of farrowing. Mr. Jamieson further states that, some months after his having chosen and sent the twenty cows and calves to Governor Bligh's farm, the Governor went to the Hawkesbury and saw his cows. The Governor, some weeks after his return from the Hawkesbury, expressed a dislike to seven or eight of the cows chosen by Mr. Jamieson, and said he would give him an order to exchange them. About a fortnight after the above conversation, Andrew Thompson, the Governor's overseer to his farm, came to Mr. Jamieson with a verbal message to know when it would be convenient for him to exchange the eight cows Governor Bligh had disapproved of? Mr. Jamieson had selected seven only, immediately after his conversation with the Governor, of the best cows in the Government herds, and had given directions to the drover to deliver them to any person who came in the Governor's name. Eight cows were driven by Andrew Thompson to the Government herd, and, Mr. Jamieson having only selected seven cows, Thompson remained until an order was brought from Mr. Jamieson to deliver the eighth, in which order Jamieson directed the herdsman to give a cow equal to those he had selected, which were the best in the herds. Mr. Jamieson has never since received the order promised by Governor Bligh, nor were the calves belonging to the eight cows returned with them. Mr. Jamieson states that a difficulty was suggested by Mr. Palmer, how the twenty calves and thirty lambs were to be accounted for in the public returns, for the calves and lambs had been entered. On consulting how the deficiency could be accounted for, the accounts being then going Home, it was determined that the next twenty calves and thirty lambs which might fall should not be entered in the returns, which would make it appear that Governor Bligh had only received twenty cows and thirty ewes.

Q. What quantity of sheep, hogs, or bullocks have you delivered weekly for the domestic use of the Government House?—A. Mr. Jamieson cannot from recollection state, but he makes public returns. One bullock is constantly killed every week, but sometimes two—the returns state the particulars: twenty wethers are sent at a time, which usually last about five or six weeks. Until about two months there was a sow heavy in pig sent down weekly. Mr. Jamieson has often been surprized how a sow so heavy in pig could be destroyed at a time when pigs were so scarce—so many having been destroyed by the unfortunate flood at the Hawkesbury, and which made their destruction of the utmost consequence to the colony.

Q. What quantity of pigs are now under your charge belonging to Government?—A. There are nine.

1808

Q. What has been done with the others?—A. I was informed, about six weeks since, by the overseer at Castle Hill, that Mr. Williamson, the Deputy Commissary, had been at Castle Hill to value all the Government pigs. On receiving the information, Mr. Jamieson questioned Mr. Williamson about the transaction, who informed him that he had been directed by letter from the Commissary, Mr. Palmer, to go and value all the pigs belonging to Government; and, to the best of Mr. Jamieson's knowledge, Mr. Williamson informed him he had valued them at from 5d. to 7d. per lb. About a fortnight after receiving this information, one of his overseers of the public stock came and informed Mr. Jamieson that George Crossley was at Castle Hill, and the superintendant, Knight, was weighing the pigs and branding them; that the pigs were driven away either that evening or the following morning. Mr. Jamieson gave a discharge the week following for the 80 pigs in the public returns to George Crossley, though he never received (as was usual on the location of all public stock) any order or message whatever.

27 Jan.

Government stock.

JNO. JAMIESON.

GOVERNMENT AND GENERAL ORDER.

Head-quarters, 27th January, 1808.

RICHARD ATKINS, Esq., Judge-Advocate, is superseded from that office, and Edward Abbott, Esq. (a),* is appointed Judge-Advocate during his suspension; Anthony Fenn Kemp, Esq. (b); John Harris, Esq. (c); Thos. Jamison, Esq. (d); Charles Grimes, Esq. (e); Wm. Minchin, Esq. (f); Garnham Blaxcell, Esq. (g); John Blaxland, Esq. (h); and Archibald Bell, Esq. (i); are appointed magistrates, and those persons who hitherto performed the duties of that office are to consider themselves dismissed. Lieutenant Lawson (j) is appointed aid-de-camp to His Honor the Lieutenant-Governor; Nicholas Bayly, Esq. (k), is appointed secretary to His Honor the Lieu't-Governor, and to be Provost-Marshal during the suspension of William Gore, Esq., who is hereby suspended from that office; John Palmer, Esq., Commissary, is suspended from that office; and James Williamson, Esq., is directed to take upon himself the charge of His Majesty's stores, and act as Commissary during his suspension; Robert Campbell, Esq., is dismissed from the office of treasurer to the public funds, Naval Officer, and Collector of Taxes, and is hereby directed to balance his accounts and to deliver them to His Honor the Lieutenant-Governor; Thos. Jamieson, Esq., is appointed Naval Officer.

Old officers dismissed, and new ones appointed.

By command of His Honor the Lieutenant-Governor,

NICHOLAS BAYLY,

PROCLAMATION.

Secretary.

Head-quarters, Sydney, 27th January, 1808.

THE public peace being happily and, I trust in Almighty God, permanently established, I hereby proclaim the cessation of martial law.

Cessation of martial law.

* *Marginal Notes by Governor Bligh.*—“(a) Afterwards succeeded by Mr. Grimes. (b) Captain, New South Wales Corps. (c) Surgeon, New South Wales Corps. (d) Colonial Surgeon. (e) Surveyor-General. (f) Lieutenant and Adjutant, New South Wales Corps. (g) McArthur's partner. (h) Settler. (i) Ensign, New South Wales Corps. (j) Of the New South Wales Corps. (k) Late Lieutenant of the New South Wales Corps.”

1808

27 Jan.

Administration of justice.

I have this day appointed magistrates and other publicaries from amongst the most respectable officers and individuals which will, I hope, secure the impartial administration according to the laws of England, as secured to us by the will of our most gracious Sovereign.

Words cannot too strongly convey my approbation of the behaviour of the whole body of people on the late memorable occasion. By their manly, firm, and orderly conduct they have shown themselves deserving of that protection which I have felt it was my duty to give them, and which I doubt not they will continue to receive.

The rights of free men.

In future no man shall have just cause to complain of injustice, or oppression ; no free man shall be taken, imprisoned, deprived of his house, land, or liberty, but by the law ; justice shall be impartially administered, without regard to or respect for persons, and every man shall enjoy the fruits of his industry in peace.

Soldiers !

Address to soldiers.

Your conduct has endeared you to every well-disposed individual in this settlement. Persevere in the same honorable path, and you will establish the credit of the New South Wales Corps not to be shaken.

God save the King !

By command of His Honor the Lieutenant-Governor
NICHOLAS BAY

Se

MAJOR JOHNSTON TO JOHN APSEY.

27th January.

By His Honor George Johnston, Esq'r., Lieutenant-Governor of His Majesty's territory of New South Wales and its dependencies, &c., &c., &c.

You are hereby required and directed to haul down the flag pendant now flying on board the Colonial schooner *Porpoise* lying at anchor in this harbour under your command, and to replace it by the flag of the New South Wales Corps, this shall be your authority.

Given under my hand, at head-quarters, Sydney, New South Wales, this 27th day of January, 1808.

GEO. JOHNSTON

OFFICERS AND SETTLERS TO MAJOR JOHNSTON.

Sir, Sydney, New South Wales, 27th January.

Thanking Johnston.

We, the undersigned, beg leave to offer you our grateful thanks for your manly and honorable interference to rescue us from an order of things that threatened the peace of the settlement.

* See the celebrated 29th chapter of Magna Charta—"*Nullus liber hominum imprisonetur aut disceisatur de libero tenemento suo vel libertatibus . . . sine iudicio aut legem terræ.*"

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Address
soldiers.

Thanked
Johnston



of all which men can hold dear. We hail you, sir, as the protector of our property, liberty, lives, and reputation. 1808
27 Jan.

In this moment of joyful exultation we must not, however, be unmindful of our future security, and with a view to the arrival in this colony of any officer superior to yourself in rank, before His Majesty's gracious pleasure shall be known respecting the supercession of Governor Bligh, we take the liberty respectfully to represent that we think you ought (before you resign the command) to stipulate that that officer shall confirm the measures you have wisely adopted for the public security and for the honor of His Majesty's Government. Providing
for the
future.

With great respect, &c.

[Signed by 83 officers and private individuals.*]

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sydney, 28th January, 1808. 28 Jan.

I AM directed by His Honor the Lieut.-Governor to acquaint you that the late magistrates (who it is proved you were in the habit of consulting) have been examined on oath before committees constituted under the Lieut.-Governor's authority; that, from the confessions of those persons, it appears that you have been acting upon a settled plan to subvert the laws, to terrify and influence the Courts of Justice, and to deprive every person who had the misfortune to be obnoxious to you of their property, liberty, and lives.† The Lieutenant-Governor, feeling that an offence of such magnitude must be productive of the most serious consequences, is impelled by sentiments of humanity to give you this early notice that you may consider and seriously reflect on the measures which may be necessary for your justification. Bligh
charged
with
subverting
the laws.

His Honor has further directed me to assure you that as soon as the examinations are complete, you shall be furnished with a copy, and that, if you think proper, all the evidences shall be re-examined in your presence, and be directed to answer any questions you like to propose to them. His Honor has also desired me to assure you that it will give him the greatest satisfaction to contribute by every means in his power to the alleviation of the distress of your present situation, and to the comfort and accommodation of you and your family. He will be
allowed to
examine
witnesses.

By order of His Honor the Lieutenant-Governor,

NICHOLAS BAYLY,

Secretary.

* The original document is reproduced in *fac-simile*. It is still in existence, and can be seen by the curious at the National Art Gallery, Sydney, to which institution it was presented by the descendants of Colonel Johnston.

† On these charges—see letters of Bligh's friends, *post*, pp. 528, 530, 532, 639, 644, 702.

1808

MAJOR JOHNSTON TO OFFICERS.

28 Jan.

Sydney, 28th January, 1808.

Bligh's
papers to be
seized.

You are hereby directed to examine all the papers belonging to William Bligh, Esq., and to detain all papers that in any way relate to the public concerns of this colony and its dependencies; all other papers you are to return him. You are to acquaint him that during your examination of those papers he may be present and have any friend or other persons also present he may choose to appoint.

GEORGE JOHNSTON,

Lieutenant-Governor.

To Capt. Ed. Abbott, Thos. Jamison, Esq., Garnham Blaxcell, Esq., Nicholas Bayly, Esq.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Government House, Sydney,

Sir,

28th January, 1808.

Bligh will
hand them
to Johnston,
sealed.

By frequent private communications with His Majesty's Principal Secretary of State for the Colonies before I left England, I was ordered to inquire into particular circumstances, to which I have made answers; and an application being made to me to give up the public papers of the colony by a committee from you, I think it due to my consequence and situation, under the consideration before stated, to object to give up particular books and particular papers to any person except yourself, sealed.

I am, &c.,

W^M BLIGH.

ORDER.

Sydney, 28th January, 1808.

The order
for seizure to
be enforced.

I HEREBY command you to proceed to the execution of my orders as expressed on the other side of this paper.*

GEORGE JOHNSTON,

Lieutenant-Governor.

To Captain Ed. Abbott, Thos. Jamison, Esq., Garnham Blaxcell, Esq., Nicholas Bayly, Esq.

GOVERNMENT AND GENERAL ORDER.

28th January, 1808.

Gaoler and
constable.

MR. Daniel McKay is appointed gaoler of the county gaol in this town, in the place of Mr. Barnaby Riley, who has resigned.

Mr. Francis Oakes, chief constable at Parramatta, is dismissed from that office, and Mr. Barnaby Riley is appointed chief constable of that town and the districts connected with it.

* This second Order was written on the back of the first one.

LIEUTENANT LAWSON TO GOVERNOR BLIGH.

1808

Copy of a Message to Governor Bligh.

28 Jan.

His Honor the Lieutenant Governor has directed me to wait on you, sir, and to inform you that all the papers which appear to have been in your possession having been given up, any persons that you may be desirous of consulting have liberty to visit you.

W'M LAWSON,
Aide-de-Camp to the Lieut. Governor.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Note.—Governor Bligh having expressed some apprehensions that an investigation of his conduct was to take place in this country, the following message was sent in explanation :—

Sydney, 29th January, 1808.

29 Jan.

I AM directed by His Honor the Lieutenant-Governor to acquaint you, sir, that the message I delivered yesterday* was only intended to apprise you that the confession of the late magistrates (combined with other evidence) would occasion an accusation of the most serious kind to be preferred to His Majesty's Government against you, of which His Honor was induced, by sentiments of humanity, to give you the earliest notice; and that, as you appeared to misunderstand his meaning, and to think an enquiry was to take place in this country on your past conduct, His Honor was solicitous to correct such a mistaken belief.

A serious
accusation
to be made
against
Bligh in
England.

His Honor also directs me to state that he shall feel himself under the necessity of declining to receive any addresses from you unless they are directed to him as Lieutenant-Governor of this territory.†

Johnston to
be addressed
as
Lieutenant-
Governor.

NICHOLAS BAYLY.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

29th January, 1808.

I AM directed by His Honor the Lieutenant-Governor to acquaint you that whatever supply of live stock you may require for the subsistence of your family shall be immediately furnished from the public herds and flocks, as usual; that, if you chuse to retain your present establishment of servants, their rations shall continue to be issued from the public stores. His Honor has further directed me to state to you, sir, that receipts will be required for every article issued on your account; that a charge will be made for the same at the current market prices; and that, when you leave the colony, an account will be made up and transmitted to His Majesty's Ministers, that they may determine whether such stock, provisions, and stores are or are not to be paid for by you.

The
household
supplies for
Government
House.

* That is the letter of 28th January, 1808, relative to the examinations of officers, ante, p. 455.

† This letter was addressed to "William Bligh, Esquire."

1903 His Honor has also directed me to state that the exigencies of the
29 Jan. public service oblige him to reduce your establishment of horses
to five, and His Honor requests that you will direct such to be
selected as you most approve. NICHOLAS BAYLI.

GOVERNMENT AND GENERAL ORDER.

30 Jan.

Sydney, 30th January, 1808.

Grimes to be
Judge-
Advocate.

CAPTAIN Abbott, having requested to decline the appointment of Acting Judge-Advocate, his nomination to that office is revoked, and Charles Grimes, Esq're, is appointed to act as Judge-Advocate during the suspension of Richard Atkins, Esq're.

The Reverend Henry Fulton is suspended from discharging, in future, the office of Chaplain in this colony.

A thanks-
giving
service.

The officers, civil and military, are ordered to attend Divine worship on Sunday next at the new church; and any well-disposed inhabitant is requested to be present to join in thanks to Almighty God for His merciful interposition in their favour, by relieving them, without bloodshed, from the awful situation in which they stood before the memorable 26th instant.

A Criminal Court of Jurisdiction will assemble at Sydney on Tuesday next, the 2nd of February, for the trial of such offenders as may be brought before it; the Court to consist of the Acting Judge-Advocate and six officers of the New South Wales Corps.

ADDRESS OF SETTLERS TO MAJOR JOHNSTON.

30th January, 1808.

To His Honor George Johnston, Esqr., Lieutenant-Governor of
Sir, the Colony of New South Wales.

Redress of
grievances.

Impressed with the highest sense of the obligation due to you for having come forward at this momentous crisis to extricate the loyal inhabitants of the colony from that dread and horror which the recent arbitrary measures had caused—measures which, if pursued as they hitherto have been, must have ultimately proved destructive to this infant state, as well as injurious to the finances of the mother country, and which tend to destroy those rights so dear to every Englishman.

A
recantation.

We presume to address you in the most unfeigned manner, earnestly hoping you will accept our grateful acknowledgments, unadorned by any fulsome language. The oppressions which we have lately undergone had nearly blunted those feelings which as men we ought to have cherished; but, anxious for the welfare of our families, and to avert those calamities which would have inevitably attended those persons who might have refused to sign a recent address,* many of us therein reluctantly praised those proceedings which in our hearts we could but condemn. Now

* Probably the address to which reference is here made was that to Governor Bligh, dated 1st January, 1808, ante, p. 412.

that we could freely express the sentiments of our minds, we gladly beg to assure you that we are ready to support you with our lives and properties, conscious that every act of your administration would meet His Majesty's approbation.

1808

30 Jan.

We cannot in language sufficiently praise the meritorious services of the New South Wales Corps on this memorable occasion.

[Signed by sixty-six persons.]

[Robert Fitz, Thos. Hobby, John Brennan, Benj'n Carver, William Mason, James Badgery, M. Pitt, James Richards, John Benn, George Hall, Thos. Arndell, Thomas Biggers, Andrew Hume, Thomas Dargin, Lawc'e May, Wm. Baker, S.K., Wm. Faithful, Josh. Cunningham, James Cox, and others.*] Signatories.

GOVERNOR BLIGH TO NICHOLAS BAYLY.

Government House, Sydney, 31st January, 1808.

31 Jan.

GOVERNOR Bligh requests a copy of the list of papers which have been taken from Government House from him. Mr. Griffin, his secretary, who lives at Lieut. Moore's, can copy them as agreed by Mr. Bayly and Mr. Blaxcell, if Lieutenant-Governor Johnston approves of it. Bligh asks for list of papers seized.

Governor Bligh will also be obliged to Mr. Bayly for the written messages which he was so polite to say he would send, and which he took away by mistake the 28th instant.

Governor Bligh will comply with Lieutenant-Governor Johnston's directions respecting the horses, servants, and provisions, and requests Mr. Bayly to inform the Lieutenant-Governor of it.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sir, Sydney, 31st January, 1808.

His Honor the Lieutenant-Governor has commanded me to acquaint you that you shall to-morrow be furnished with a list of papers which have been taken from Government House. Johnston consents to supply list.

The written messages of which you require a copy are as follows:

[Here follow the two Orders of 28th January, 1808, addressed to Abbott, Jamison, Blaxcell, and Bayly, ante, p. 456.]

I have, &c., NICHOLAS BAYLY.

NICHOLAS BAYLY TO D'ARCY WENTWORTH.

Sir, Sydney, 31st January, 1808.

On examining the public papers found at Government House, a letter, accompanied by a deposition, was discovered, which appear intended to produce an injurious effect on the minds of His Majesty's Ministers, and to justify the late Governor's conduct in suspending you. Bligh's charges against Wentworth.

* At the trial of Lieutenant-Colonel Johnston, a copy only of this document was put in, the original being illegible by reason of blots. According to a note printed in the report of that trial, there were about 280 names attached to the address, and it was alleged that only those of Fitz, Arndell, Hobby, and Badgery, were originals. See the evidence of Martin Mason concerning the means adopted to obtain signatures to this address, *Trial of Lieutenant-Colonel Johnston*, p. 124 et seq.

1803
31 Jan.

His Honor the Lieut.-Governor, not considering it right that any man should be accused of an offence without being allowed an opportunity to defend himself, has directed me to enclose you a copy of those papers, that you may take such measures respecting them as you may judge prudent.*

I am, &c.,

NICHOLAS BAYLY,
Secretary.

GOVERNMENT AND GENERAL ORDER.

31st January, 1803.

Stock-taking
the stores.

THE following gentlemen are ordered to an immediate survey of all the stores and provisions in His Majesty's stores:—Garnham Blaxcell, Esquire; John Blaxland, Esquire; Mr. Thomas Laycock; Mr. Thomas Moore, builder; Captain E. Bunker; and Mr. James Williamson, Acting Commissary.

Mr. Commissary Palmer is directed to attend the survey, and when it is completed, to sign the report.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

1 Feb.

Bligh's naval
appoint-
ments.

Sir, Government House, Sydney, 1st February, 1803.

Being captain of His Majesty's ship *Porpoise* (now absent from Port Jackson on service), by virtue of a commission from the Right Honorable the Lords Commissioners of the Admiralty, of the 13th November, 1805,† and, by a subsequent order of their Lordships, dated 27th February, 1807, required and directed to hoist and wear a broad pendant, which constitutes the rank of Commodore, I have to state the same for your information, in order that I might be permitted to prepare to sail for England as soon after her arrival as possible.

I am, &c.

W^m BLIGH

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sir, Head-quarters, Sydney, 1st February, 1803.

His
projected
departure
for England.

I have it in command from His Honor the Lieutenant-Governor to acquaint you, in answer to your letter of this day, that the causes of your supercession are of so serious a nature that your arrest will be continued until His Majesty's pleasure shall be known, and that every exertion is making to facilitate your departure from hence for England. His Honor has also directed me to acquaint you that it is his intentions to send you Home by a private ship, and that every necessary accommodation shall be provided for you and your family.

I have, &c.,

NICHOLAS BAYLY,
Secretary.

* The enclosures have become separated from the covering letter. Doubtless the papers referred to in the opening paragraph were Bligh's despatch of 31st October, 1807, ante, p. 348, and the depositions of Oakes and Beldon, which were enclosed with it. See also "The Trial of Wentworth," ante, p. 316, and post, 522.

† See vol. v, p. 730.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

1808

1st February, 1808.

1 Feb.

I AM directed by His Honor the Lieutenant-Governor to wait on you, sir, and to say that if you have determined on any plan of finishing the tomb of your late son-in-law, Captain Putland, or, if you have not, and are desirous to consult with any of the artificers upon the subject, they shall be immediately ordered to wait upon you, and to proceed to the execution of your wishes. His Honor thinks it will be proper that an estimate may be made of the expence, which will be transmitted with other accounts, for His Majesty's Ministers to decide whether the tomb is to be finished at your expence or that of the public.

Captain Putland's tombstone.

N. BAYLY,
Secretary.

MRS. BLIGH TO SIR JOSEPH BANKS. (Banks Papers.)

Dear Sir Joseph,

1st February, 1808.

I find that there is so strong a party, from interested motives, making every effort to recall and ruin Bligh in his character that I have been induced to try what can be got at the Admiralty by soliciting justice. I enclose you what I have written, but wish your approbation. If you do not disapprove of it, please to order a wafer to be put into it, and allow the bearer to leave it at the Admiralty in his way home. I find the party have been cruel enough to get somebody to represent to the Admiralty, or to the Secretary of State's Office, that Bligh, during the scarcity in the colony, sold provisions at high prices for his own emolument; in short, they seem determined to stick at nothing to have him recalled. That point gained, it is said Lord Mulgrave wishes his friend, General Grose, to be appointed; but surely they will never throw the colony entirely into the hands of the military, who have already had too much power. On Friday morning Lieu't. Tetley left me with an intention to make the affidavit he proposed. I sent yesterday to the attorney he went to for directions how to proceed, who sent me the enclosed note. I dare not seek after him, as it must appear to be his own voluntary act.*

A letter to the Admiralty from Bligh's wife.

The attempted recall of Bligh.

To hear that you are getting well is the anxious wish of

Yours, &c., ELIZABETH BLIGH.

P.S.—On Saturday I saw four *Gazettes* that had arrived in the ship *Star*, but have as yet received no letters from Gov'r Bligh.

The *Morning Herald* of to-day announces the recall of Gov'r Bligh. Is there any reason to think it is decided upon?

Rumours of Bligh's recall.

I am happy to learn that Lord Darnley is to be in town to-morrow. I think he will do anything for Bligh. The Duke of Clarence I also think, if applied to, would come forward in his behalf.

* The affidavit referred to, which Tetley subsequently made, was to the effect that he had brought Short to a Court-Martial upon his own responsibility, and without being influenced by Bligh.

1808

[Enclosure.]

MRS. BLIGH TO SECRETARY POLE.*

1 Feb.

Sir,

Durham Place, Lambeth, 1st February, 180

Bligh and
the Navy.

I beg leave, thro' you, to state to the Lords Commission of the Admiralty that the family and friends of Gov'r Bligh lately learnt with deep concern that a letter greatly injurious to his honor has been for some time circulating among the officers of the Navy in Portsmouth and in London. I here enclose a copy of it, and added a statement of what will appear to be the truth when investigated, and to which we entreat their Lordships' attention.

Charges
made behind
Bligh's back.

The family of Capt. Bligh earnestly solicit their Lordships in their great justice and goodness they will consider the extraordinary hardship it is for an officer of rank and character who is distant, executing an arduous duty, to be thus traduced and defamed without being defended or heard, after having spent a long life in the most active service of his country in every branch of his profession; and further entreat their Lordships that they will not admit the cruel and unjust representations that have been made against him by an interested party to make an impression unfavourable to him, nor allow anything to be recorded which reflects on his honor and character, as his family and friends are certain as soon as the truth can be laid before their Lordships he will be justified in their opinion.

I am, &c.,

ELIZABETH BLIGH

GOVERNMENT AND GENERAL ORDER.

2 Feb.

2nd February, 180

Dismissal of
Andrew
Thompson.

MR. Andrew Thompson is dismissed from his situation as stable at the Hawkesbury, and Mr. Richard Fitzgerald is appointed to that office.

WILLIAM MARSDEN TO SIR JOSEPH BANKS. (Banks Papers)

My dear Sir,

Wimpolet, 2nd February,

The
captivity of
Flinders.

I have the pleasure to send you a note† I have just received from Mr. Barrow, with an extract of a letter from poor Flinders who appears to be still a prisoner, no letter on the subject of his release having reached the Isle of France. I am quite convinced that the quadruplicate letter you sent to me was forwarded to Edward Pellew, but accompanied, I think, by a private note to him what he was to do with it, and not signifying the contents of the Board, because yours to me was in its form private and official, and I never signified their Lordships' commands but in the sequence of a public application read to them. When I at

* Pole was Marsden's successor at the Admiralty. † The enclosure is not amongst the papers.
‡ This note has been lost.

nally to introduce a letter beginning "Dear sir," I was told they had official business enough without attending private correspondence.

1808

2 Feb.

, my dear sir, applies to what you mentioned to me on this some time since. Thank God I have nothing more to do these matters.*

Yours, &c.,

W'M MARSDEN.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Government House, Sydney, 2nd February, 1808.

I have to acknowledge the receipt of your secretary's letter of yesterday's date, in consequence of my letter to you of the same date but as I do not consider it a sufficient justification for me

Bligh's naval and civil employments and ranks.

Lords Commissioners of the Admiralty for my not proceeding to England in His Majesty's ship Porpoise, I think it proper to transmit for your further information a copy of their commissions constituting and appointing me captain of His Majesty's ship Porpoise, and of their Lordships' orders directing me to hoist and wear a broad pendant (alluded to in my letter of yesterday's date), which you will observe have not the most distant resemblance to my situation as Governor of His Majesty's territory of New South Wales, in which I consider myself under an arrest until I arrive in England, and His Majesty's pleasure is known.

I am, &c.,

W'M BLIGH.

MAJOR JOHNSTON TO CAPTAIN PIPER. (Norton Papers.)

Headquarters, Sydney, 2nd February, 1808.

I seize the earliest moment to despatch a vessel to convey information to you of the change which I have been obliged to make in the Government of this colony.

Johnston informs Piper of the deposition of Bligh.

On the 26th January I received a letter signed by the principal magistrates, in which they called upon me to put Governor Bligh under arrest, and to assume the command. The extraordinary nature of that I had witnessed left me no cause to doubt the propriety of complying with this requisition; but being anxious not to do a step that might be considered rash and premature, I convened a meeting of the officers present at headquarters, and required their opinions. On consultation the officers entirely concurred in opinion with the magistrates, and as I was well aware that the Governor was aided by a junto of desperate and unprincipled advisers (who were themselves governed by the well-known George Crossley), I felt that duty and honor imperiously called upon me to determine prompt and energetic measures for the relief of the colony.

William Marsden resigned the Secretaryship to the Admiralty in June, 1807, and received a pension of £1,500 per annum, which in 1831 he voluntarily relinquished to the Crown. He was the author of a number of works on Oriental and numismatic subjects. An account of his life and works will be found in the *Dictionary of National Biography*, vol. 206. He was succeeded at the Admiralty by the Honorable William Wellesley Pole.

1808

2 Feb.

The soldiers
march to
Government
House.

Searching
for Bligh.

The troops were under arms in a moment, and four officers were despatched to Government House with orders to require that Governor Bligh should resign his authority. I quickly followed with the Corps, and the whole body of the respectable inhabitants and civil officers.

On our arrival at Government House it was reported to us that the Governor was nowhere to be found; but after a long and careful search he was at last discovered in a situation too disgraceful to be mentioned.

Martial law.

Whilst the search was making, the principal civil officers and inhabitants earnestly recommended that martial law might be proclaimed. This advice meeting with my approbation, was instantly complied with, and martial law continued in force until the next day. As not a single instance of disorder or irregularity took place during the interesting scene that I have been describing, I published a proclamation revoking the order of the preceding evening, and restoring the civil government.

Committees
examining
Bligh's
advisers.

Committees have since been constantly employed in examining the guilty advisers of Governor Bligh and their abandoned associates. Several communications have also taken place between the Governor and me explanatory of my intentions and his wishes respecting the cause of the restraint he is placed under, and the manner of his return to England.

Collecting
evidence.

The investigation has already brought to light innumerable instances of peculation, fraud, and guilt, and there can be no doubt but so complete a series of evidence will be obtained as cannot fail to convince His Majesty's Ministers, not only of the propriety of the measures I have pursued, but of their indispensable necessity.

It is with the most heartfelt satisfaction that I assure you of the present tranquil and happy state of the settlement, and of my perfect confidence that its continuance will not be interrupted.

I have, &c.,

GEO. JOHNSTON.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sir, Headquarters, Sydney, 2nd February, 1808.

Bligh not to
embark on
Porpoise.

I am commanded by His Honor the Lieutenant-Governor to acknowledge the receipt of your letter of yesterday's date, with its enclosures, No. 1 and No. 2.*

I am further commanded to acquaint you that His Honor feels great concern at being obliged to decline complying with any wish of yours, but that he cannot permit you, sir, to return to England in His Majesty's ship, the Porpoise, without acting contrary to his own sense of what his duty requires. I have, &c.,

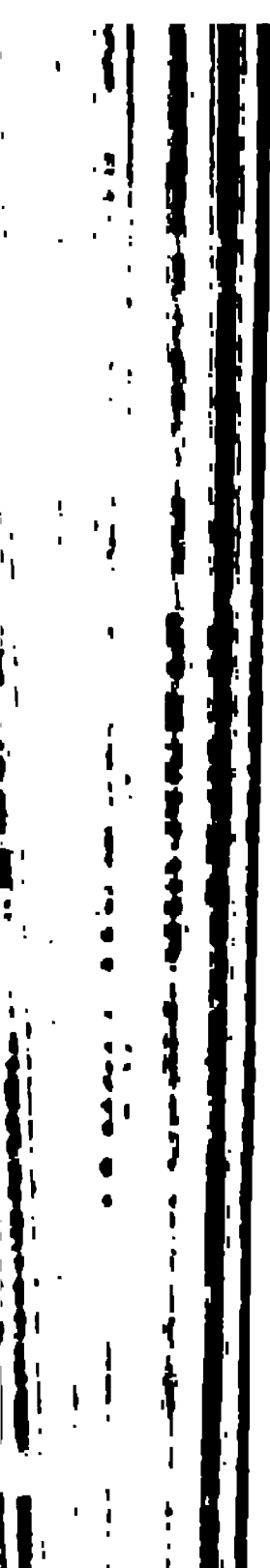
N. BAYLY, Secretary.

* The enclosures were the commissions referred to in Bligh's letter of 2nd February, 1808, ante, p. 463.



JOHN MACARTHUR.

From a Miniature, taken about 1817.
in the possession of his grand-daughter, Mrs. MacArthur Onslow.



THE TRIAL OF JOHN MACARTHUR. (Colonial Secretary's Papers.)

1808

PROCEEDINGS of a Court of Criminal Jurisdiction, held by virtue of a precept under the hand and seal of His Honor George Johnston, Esquire, Lieutenant-Governor in and over His Majesty's territory of New South Wales and its dependencies, 2nd February, 1808.

2 Feb.

The Acting Judge-Advocate,* Capt. Ant'y F. Kemp, Lieut. Thos. Laycock, Lieut. Wm. Minchin, Lieut. W. Moore, Lieut. Wm. Lawson, Lieut. C. Draffin, members. Composition of the Court.

John McArthur, Esquire, placed at the Bar, and the following indictment read :—

New South Wales, { Charles Grimes, Esquire, Acting Deputy Judge-Advocate to our Sovereign Lord the King, and acting as Judge-Advocate, lawfully appointed by George Johnston, Esquire, Lieutenant-Governor of His Majesty's territory called New South Wales, on behalf of our said Lord the King, delivered of record of the Court of our said Lord the King of Criminal Jurisdiction, the said Court being held at Sydney, in the county of Cumberland, in the territory aforesaid, on the second day of February one thousand eight hundred and eight, and then and there informeth the said Court and giveth the said Court to understand that John McArthur, late of Parramatta, in the county of Cumberland, in the territory of New South Wales, Esquire, is charged to be guilty of certain charges and offences contained in the subjoined indictment prepared by Richard Atkins, Esquire, the Judge-Advocate, and laid before the Court of Criminal Jurisdiction assembled the twenty-fifth of January last, to answer to which indictment the said John McArthur did appear before the said Court of Criminal Jurisdiction, and was arraigned at its bar, the Acting Judge-Advocate therefore prays that the said John McArthur may plead in answer to the said charge prepared by the Judge-Advocate, Richard Atkins, Esquire, and take his trial thereupon according to due course of law." Here follows a lengthy indictment, drawn up for the Judge-Advocate by George Crossley, in which McArthur was charged with various "misdemeanors and outrageous offences." The charges, in effect, were as follows :—

Macarthur charged under indictment of Richard Atkins.

1. That he imported, or caused to be imported, in the vessel called the Dart, of which he was reputed to be the owner or part owner, two stills not lawful to be in the possession of any private person without the Governor's consent. Importing stills.

2. That whereas the Governor had given permission on the 8th March, 1807, for the stills to be placed in the public store pending their removal out of the territory, he (McArthur) had caused the bodies of the stills to be removed to his house, in defiance of the Governor's order that they should be lodged in the Government store. Parts of stills removed from store.

3. That upon Robert Campbell, junior, applying for the boilers at the Governor's direction, and taking the same away with the aid of several men, he was brought by McArthur unlawfully before the magistrates; and that in order to bring the Governor into disrespect, hatred, and contempt of the people, he falsely declared and published the following libellous words, to wit :—" I have produced evidence to prove to the Court that two coppers or bodies of stills were taken out of my house on the twenty-second instant (meaning the twenty-second of October) without my consent. Mr. Griffin, the Governor's secretary, has declared in evidence that the Governor told Mr. Robert Campbell, Naval Officer, to take those bodies of stills and ship them on board the Duke of Portland. By the acknowledgment of the respectable young gentleman, Mr. Robert Campbell, junior, he

The charge of bringing the Governor into contempt.

* Charles Grimes, Surveyor-General, was Acting Judge-Advocate. Captain Abbott was nominated in the first place, but declined to accept the position, and Grimes was appointed during the suspension of Atkins.

1808

2 Feb.

Macarthur's
address to
the Court.

was told by his uncle to execute that command. It would therefore appear that a British subject, living in a British settlement in which the British laws are established by the Royal Patent, has had his property wrested from him by a non-accredited individual, without any authority being produced or any other reason being assigned than that it was the Governor's order. It is therefore for you, gentlemen, to determine whether this be the tenor on which Englishmen hold their property in New South Wales"—which said false, scandalous, libellous, wicked, seditious, and unlawful words were then and there wickedly and unlawfully intended to libel the Governor and Government of this territory and to bring the Governor into contempt, disgrace, and hatred of the people, and to incite the people to hatred and contempt of the Governor, to the evil example of all others in the like cases offending in contempt of our said Lord the King, contrary to the form of the statute and against the peace of our said Lord the King, his crown, and dignity.

The case of
the ship
Parramatta.

4. That the said John McArthur, being a person of evil mind and disposition and of dishonest conversation, and being minded and desirous to raise dissatisfaction and discontent in the people of this colony against the constitutional Government, and to raise hatred and contempt and dissatisfaction against His Excellency the Governor and against other the officers of justice in the said colony, did with intent to raise dissatisfaction in the master, mates, and crew of a certain ship or vessel called the Parramatta, of which he was owner or part owner, write or cause to be written to one John Glen (master of the said ship Parramatta) a certain false and libellous defamatory letter to the purport and effect as follows:—

“Sir,

“Sydney, New South Wales, 7th December, 1807.

Macarthur's
letter to the
captain.

“In consequence of the illegal and extraordinary conduct of the Naval Officer, Robert Campbell, Esq're, in retaining the schooner Parramatta's papers and preventing her from entry (although the return of the papers has been repeatedly required and the entry of the schooner solicited), I must consider myself as virtually dispossessed of her. This is therefore to give you, the mate and seamen of the said schooner, notice, which you will make known to them, that I have abandoned the said schooner, and that neither you nor them are henceforward to look to me for pay or provisions. I have also to require that you will wait upon the said Robert Campbell, Esquire, Naval Officer, accompanied by sufficient witnesses, and that you do deliver to him a copy of this letter, signifying at the same time that you are ready and desirous to give him an inventory of the schooner's stores, provisions and cargo before you leave her.

“I am, &c.,

“JOHN MCARTHUR.”

The crew
abandon the
vessel.

5. That in consequence of the above letter the master and crew of the said vessel, on the 14th December, 1807, came on shore in an unlawful manner, in breach and violation of the Rules and Regulations of the colony, as by law established, and took oath before the Judge-Advocate that they did so in consequence of the receipt of the said letter.* That the said John McArthur was thereupon summoned to attend on the day following to show cause for his conduct†; that he refused or neglected to so attend, and wrote to the Judge-Advocate the following letter:—

“Sir,

“Parramatta, 14th December, 1807.

Macarthur
throws the
responsi-
bility on the
Naval
Officer.

“I am to acknowledge the receipt of your letter of this date, acquainting me that the master, mates, and crew of the schooner, Parramatta, have violated the Colonial Regulations by coming, unauthorised, on shore, and that they in their justification say I have deprived them of their usual allowance of provisions, for which conduct you require me to come to Sydney

* See the depositions of the master, chief officer, and crew of the Parramatta, post, p. 471.

† See Atkins to Macarthur, 14th December, 1807, post, p. 471.

to-morrow to shew cause. I have only in reply to say that you were many days ago informed that I had declined any further interference with the schooner, in consequence of the illegal conduct of the Naval Officer in refusing to enter the vessel and retaining her papers, notwithstanding I had made repeated applications that they might be restored. So circumstanced, I could no longer think of submitting to the expence of paying and victualing the officers and crew of a vessel over which I had no control; but previously to my declining to do so, my intentions were officially made known to the Naval Officer. What steps he has since taken respecting the schooner and her people I am yet to learn; but as he has had two police officers on board in charge of her, it is reasonable to suppose they are directed to prevent irregularities, and therefore I beg leave to refer you to the Naval Officer for what further information you may require upon the subject.

1808

2 Feb.

"I am, sir, your obedient servant,

"JOHN MACARTHUR.."

6. That upon the 15th December, 1807 the Judge-Advocate, by warrant* under his hand and seal, directed Francis Oakes, Chief Constable at Parramatta, to bring the said John McArthur before the said Judge-Advocate and other His Majesty's justices, on Wednesday, 16th December, 1807— which warrant was taken by the said Francis Oakes to the house of the said John McArthur and shewn to him, who, having read the same and taken a copy thereof, said to the said Francis Oakes these false, libellous, wrongful, seditious, and unlawful words, in contempt of the laws of the realm and of the Judge-Advocate and the executive power of the Government in him vested: "You may tell the persons directing that warrant that I will never submit to it until I am forced, for I treat it with scorn and contempt, as I do the person who has sent it. Had the person who directed it served it instead of you I would have spurned them from my presence." The said John McArthur further told the said Francis Oakes if he came a second time to come well armed, for he never would submit till blood was shed; and the said John McArthur represented the Governor as a tyrant, and said that they (meaning the Governor and Naval Officer) had robbed him of ten thousand pounds, and that they (meaning the Governor and other the officers of Government) would soon make a rope to hang themselves.

The warrant for Macarthur's arrest.

Macarthur's reply.

7. That the said John McArthur, being a malicious and seditious man, and of a depraved mind and wicked and diabolical disposition, had been deceitfully, wickedly, and maliciously contriving and abetting against William Bligh, Esq., His Majesty's Governor-in-Chief of this territory, to vilify and represent him and others as unjust officers and Ministers and little fit to be used and entrusted by our said Lord the King with the weighty affairs of this territory, and to represent the said Governor and other the officers as corrupt persons and to bring them into great scandal, infamy, and hatred with all the liege subjects of our said Lord the King, in contempt of our said Lord the King and his laws to the evil and pernicious example of all others in the like case offending and against the peace of our said Lord the King, his Crown and dignity.

Charged with sedition.

Plea—Not Guilty.

Richard Atkins, Esq., sworn:—

Question from Mr. Atkins, the late Judge-Advocate, to the members of the Court: Whether I am bound to answer any questions that may be put to me that has reference to my late official office as Judge-Advocate of this territory, under His Majesty's Sign Manual? The Court are of opinion that you are bound to answer the questions proposed to you.

Official communications.

Question from Court.—Are the papers, specified in the following list, the same as left by you in the Court of Criminal Judicature, on the 25th of January last, and detained by the officers composing that Court?—List of

List of papers.

* The warrant is printed on p. 474, post

1808

2 Feb.

papers :—Indictment ; list of questions to support the indictment ; proceedings of Bench of Magistrates* ; warrant, dated 15th December, 1807 ; warrant under which the prisoner was apprehended ; proceedings of a Bench of Magistrates on prisoner's commitment ; paper delivered by the constable—said to be delivered by the prisoner ; letter, 14th December, 1807 ; letter, answer from the prisoner, 14th December, 1807 ; letter, protesting against the Judge-Advocate, to the Governor, with the Governor's answer ; notice of trial ; bail bond ; Judge-Advocate's determination to record sentence of guilty ; mode of punishing the prisoner ; deposition of Francis Oakes, 16th December.—A. They are.

Q. Are you ready to come forward to prosecute John McArthur, Esq., on the indictment framed by you and which you have heard read?—A. I am not.

Atkins's
official
functions.

Q. State your reasons.—A. The reasons that I give are the following: That the information which I instituted against John McArthur, Esq., and which has now been read, and to which the said John McArthur has pleaded not guilty, I did not in my individual capacity as Richard Atkins, Esq., but in my public one as holding His Majesty's commission ; I therefore conceive that my official duty is for the present completely finished, consequently cannot stand forth as the prosecutor of John McArthur, Esq. ; but in any other capacity I have no objection to answer any questions that may be put to me, and are relevant to the subject.

Technical
assistance.

Q. Was the indictment against John McArthur, Esq., framed by you as Judge-Advocate?—A. It was to have been exhibited by me as Judge-Advocate, and I do apprehend that his office does not exclude him from the advantages arising from the superior knowledge of any man that may be more conversant in the object upon which the Judge-Advocate consulted him than he (the Judge-Advocate) was.

Framing the
questions.

Q. Were not the evidences on behalf of the Crown furnished by you or any other person with your knowledge with a list of questions to be asked them before the Court?—A. The evidences were not furnished by me, neither was a single question contained in the following list before the Court, and which I intended to ask the respective evidences on the part of the Crown, framed by me.

[Here follow the questions subsequently asked in the examination in chief of the following witnesses :—Edmund Griffin ; Robert Campbell, junior ; John Harris, Esq. ; Robert Campbell, Esq., Naval Officer ; John Palmer, Esq. ; Mr. John Glen ; Mr. Francis Oakes.]

The prisoner's cross-examination of Mr. Atkins :—

Indictment
drawn up by
Crossley.

Q. Was not the indictment or information framed by Geo. Crossley, a person sent into this country as a convict under the sentence of the law for perjury?—A. It was framed by Geo. Crossley, and who, I believe, was sent into the colony for the crime as stated in the question.

Atkins seeks
Crossley's
aid.

Q. Did you receive the information so prepared by George Crossley because you approved of its contents or because you was commanded so to do by the Governor?—A. In consequence of having received directions to prosecute Mr. McArthur, he having been committed for trial by a Bench of Magistrates ; and knowing the very great difficulty that I laboured under in not having had what is called a legal education, and feeling it a matter of a most momentous nature, I wrote a letter to Mr. Crossley, directed to him at the Hawkesbury, but before I had sealed it I heard Mr. Crossley was down at Sydney, but I sent the letter to Mr. Devine's,† where he usually sleeps, purporting that he (Crossley) being better versed in such a business, that I should be obliged by his assistance, and that I was sure the Gov'r would be equally so. When I saw Crossley, he told me that Mr. Devine had

* This was the evidence in the case of Macarthur v. R. Campbell, junior, 24th October, 1807, ante, p. 332.

† Crossley and Devine were related by marriage.

ten to him, desiring his immediate attendance. Some short time after Crossley brought me the information in his own handwriting, of which the Court has before it a copy. I wished to make some immaterial suggestion, which was objected to by Crossley.

1808

2 Feb.

What caused you to be sure that the Governor would be pleased by Crossley's interference?—A. Because the Governor had before employed Crossley on a similar occasion, and had been in the custom of consulting Crossley on law business.

Pleasing the Governor.

State to the Court on what particular occasion the late Governor did employ Crossley to draw up an information or indictment?—A. The information against O'Dwyer and others, which was for misprision of treason or endeavouring to disturb the peace of the colony, and the questions on that trial were framed by Crossley.

Was he not employed or consulted in drawing up an information against the late Provost-Marshal?—A. He was both employed and consulted by the Governor on that business.

Crossley's legal knowledge.

Was he (Crossley) not employed as an advocate for the Provost-Marshal on his trial, and did not the Governor order the Criminal Court to try the late Provost-Marshal to admit Crossley into that Court as an advocate?—A. He (Crossley) was ordered by the Governor, to the best of his belief, to act as advocate or friend for Mr. Gore on his trial, and he was admitted as such the first day only under the correction of the Court that no question was to be put by him, but by the prisoner (Mr. Gore), to whom he might suggest any question that he (Crossley) might think necessary to his defence.

He defends Gore.

Then you mean to say that Crossley was first employed to prepare an accusation against the late Provost-Marshal, and afterwards to convince the Court that the accusation was good for nothing?—A. It certainly appears so by my answers.

Were you induced to give it as your opinion that Crossley could be admitted to advocate any cause in a Court of Justice because you really thought so or because you were obliged to give that opinion from the terror that was under from the threats of the Governor?—A. It certainly was my opinion that Geo. Crossley, notwithstanding he had been found guilty of perjury, that his having received a free pardon under the seal of this colony, well as having expiated his offence by having served the term of his transportation, that he was in the eye of the law a new man, and was as competent, and ought to be considered as possessed of the rights of a citizen, as any other person, and that was my reason to give it my opinion that he was competent; but upon looking further into the statutes at large, and more particularly an Act, but in whose reign I do not this moment recollect, the tendency of which was that if any attorney, councillor, agent, or other person connected with the law, after having been so convicted, should come into any Court to plead in any cause before that Court, it was incompetent for the said Court, after having enquired in a summary way, the Court could transport such person for seven years. In consequence of which I altered my original opinion during the trial of Mr. Gore.

His competency to plead in Court.

As you knew it was criminal for any attorney who had been convicted of perjury to practise as an attorney or agent in any suit at law, what induced you to consent to Crossley being employed as an agent to prepare the information which now causes me to stand in the degraded and humiliating condition of a criminal at the bar of this Court?—A. You give me leave to make a pointed distinction between a person coming into a Court as attorney or agent and that of a person knowing his abilities as a private individual and possessed of that knowledge which I found myself deficient in. I therefore did not consult him as an attorney or agent, but as an individual possessed of such knowledge as I required.

Atkins consults him.

1808

2 Feb.

An agent or
an adviser.The employ-
ment of an
ex-convict
in legal
matters.The law of
sedition.36 Geo. III,
c 7.The legal
aspect of the
question.

Q. Do you mean to say that a man who is employed to do another's business is not his agent?—A. I certainly do mean to say that he is not, and for this reason: As the word agent in the eye of the law, for if any gentleman of any condition was possessed of knowledge which I wished to acquire and I did obtain it, the general acceptance in point of law could not be applied to such person from whom I obtained such information.

Q. If I understood your evidence right, you have not only declared that you consulted Geo. Crossley and acted upon his opinion, but that you did absolutely employ him to draw up the information against me, and which information so prepared by Crossley I am now obliged to defend myself against. I therefore repeat again: Did you not know it was improper to employ any such character in performing so solemn an instrument as that of an accusation against a gentleman of honor and character, which accusation it appears from a paper in your own handwriting was intended to overwhelm him with disgrace and misery, and to expose him to a punishment worse than death—a public and disgraceful exposure in the pillory?—A. I did consult Geo. Crossley for the purpose of obtaining every information he could give me upon the object of my then attention, and I did conceive that the most useful manner in which he could give me that knowledge was by drawing up that information in the technical terms of the law, of which, as I said before, I felt a deficiency. I request that that paper, alluded to in the question, may be produced, that I may be enabled to make such remarks upon it that may satisfy the Court that it was not for [the] sinister purposes alluded to in the question. The paper read as follows:—"If any one by writing, printing, preaching, or other speaking shall use any words or sentences to incite the people to hatred and contempt of the King or of the Government and constitution of this realm, he shall incur the punishment of a high misdemeanour—that is, fine, imprisonment, and pillory; and for a second offence he is subject to a similar punishment or transportation for seven years, at the discretion of the Court." "But a prosecution for a misdemeanour under this Act must be brought within six months; and this statute shall not effect any prosecution for the same crimes by common law, unless a prosecution be previously commenced under the statute. This statute is to continue in force until the end of the next session of Parliament after the demise of the Crown. 36 Geo. III, c 7." I answer that having asked Geo. Crossley under what Act he conceived the crime with which McArthur was charged would come, he told me that it was the 36 Geo. III, c 7. Knowing as I did that I was not possessed of that Act I asked him what could be done for the want of it, conceiving that it might be called for; Crossley told me that it would have been better if the Act had been in the colony, but as it was not he told me that Mr. Lord had the last edition of *Blackstone's Commentaries*. I should find a note subjoined by Mr. Christian, the editor of that last edition, which said not quoted that part of the said Act applicable to the case. I sent for it and extracted what appears before the Court in my handwriting, and I believe that it will be admitted that it was my duty, as Judge-Advocate, to make myself master of the law, that in the event Mr. McA. had been found guilty, to give the necessary information to the Court, they might apply all or any part, in their discretion, and that it could not be, nor can it be considered without forcing the intent of that paper to be viewed in any other point than that I have stated, or prejudging the case. I further say that let a man be guilty of such and such offences, which has nothing to say whatever to the point on which he is consulted; and as I believed that there was no other person in the colony so competent to give it as Crossley, I was under the necessity of applying to a bad character for that information which, if I could have got from an honest man, I would not have applied to Crossley.

Q. Do you, or do you not, know that it was unlawful to employ Geo. Crossley in the way you have?—A. To which I answer that perhaps as

Judge-Advocate, and as a law officer, it would have been much better to have been guided by my own judgment than to have had recourse to any other persons ; but as I did not abide by that, I conceive it no further improper than because Mr. Crossley was a bad character ; and it is no uncommon thing for even judges in England to take the opinion of solicitors, councillors, or attorneys without enquiring the characters of the persons applied to.

1808

2 Feb.

Q. Do you mean to say it is no uncommon thing for a judge in England to take the private opinion of an attorney who has been convicted and publicly punished for perjury?—A. I believe that a judge will not ask the opinion of any person in public, and who they ask in private is more than I can answer to.

Q. I have endeav'rd by all the means my humble abilities can suggest to me to obtain a direct answer to a plain question, and I now beg to submit to the Court the propriety of their deciding whether Mr. Atkins shall answer to the question : Did he, or did he not, know that it was unlawful to employ such a character as Geo. Crossley in preparing such an instrument as the information on which I am now tried?—A. I do not think it unlawful, but improper.

A direct answer.

The prisoner requests Mr. Atkins's letter to him, informing him of the irregularity of the officers and crew of the Parramatta, schooner, may be read—which was read as follows :—

“ Sir,

“ 14th December, 1807.

“ I have it in command from His Excellency the Governor to acquaint you that the master, mates, and crew of the schooner Parramatta, of which you are owner, have violated the Colonial Regulations by coming unauthorised on shore, and that in their justification they say you have deprived them of their usual allowance of provisions, and that they have no means of subsistence on board your schooner. In consequence of such their representations I request your attendance at Sydney to-morrow morning, at 10 o'clock, to shew cause for such your conduct.*

The case of the schooner Parramatta.

“ I am, &c.

“ John McArthur, Esq., Parramatta.”

“ R'D. ATKINS, J.-A.

Q. Was this the first complaint that you received of the same kind from the officers and seamen of the Parramatta, schooner?—A. I think it was. I was sent for up to Government House, and from information that the Governor had received (I believe from Mr. Campbell) that Mr. McA. had stopped the wages and provisions of the officers and crew of the Parramatta, schooner, I was desired by the Governor to send for the master, mates, and crew of the said schooner and take their depositions on that head ; I did so, and the following is the deposition taken :—

“ 14th December, 1807.

“ Mr. John Glen, master of the Parramatta, being required to state his reasons why he has abandoned the command of said ship, and why he suffers the sailors to come on shore, delivers the accompanying paper as his reason for so doing ; that in consequence he went to Mr. Rob't Campbell, the Naval Officer, and delivered to him a copy of the said letter, before witnesses, who told him that he would acknowledge he had got a copy of the same but had no answer to give ; that as soon as he had left Mr. Campbell he went to Government House for the purpose of showing the letter to the Governor, who refused receiving it. That he then went on board and read said letter to the men and sealed up the hold. Says that since that period—the 8th inst.—he has not received any provisions whatever from his owner, Mr. McA., and that since that period he has considered himself as divested of all command over the said vessel and crew, nor has he exercised any since that time.

The master's deposition.

“ JNO. GLEN.”

* See the reply to this letter, ante, p. 466.

1808

2 Feb.

The chief
officer's
deposition.
The crew's.

"Mr. John Graves, chief officer of said ship, says that he was present on board the Parramatta at the time Mr. Glen read Mr. McArthur's letter to the ship's crew; that in consequence he left the vessel and has since that time received no provisions from her or from his owner, nor has he exercised any command whatever over the crew. JOHN GRAVES."

"George Brown, John Knight, Christopher Shelto, George Piercy, and Alexander Linholm, John Thomas and John Marks, sailors belonging to the schooner the Parramatta, respectively says: That since the 8th inst. they have done no duty on board the said ship; neither have they received any provisions; that they have since that time generally been on shore, but usually slept on board.

"Sworn before me, this
14th December, 1807,—
R'D ATKINS, J.-A.

"GEO. BROWN (his x mark).
"JOHN KNIGHT (his x mark).
"CHRIST'ER SHELTO (his x mark).
"GEO. PIERCY (his x mark).
"ALEX'R LINHOLM (his x mark).
"JOHN THOMAS.
"JOHN MARKS (his x mark)."

In consequence of that deposition I wrote the letter.*

Correspondence with
Macarthur.

Q. Were you directed by the Governor to write the letter?—A. I will not positively say that I was or was not, but that I was desired by the Governor to take the depositions and act upon them.

The prisoner requests the letter to be read, in answer to the one of the 14th of December, which was read as follows.†

Detention of
the schooner
Parramatta.

Q. At the time you rece'd the above letter, did you not know that the Naval Officer had refused to enter the vessel or to allow her cargo to be landed?—A. Mr. Campbell informed me that he had done so—Mr. Campbell, the then Naval Officer.

Q. Did you not also know that the Naval Officer had possession of the schooner's register and all her papers, and that he refused to give them up, although repeatedly pressed so to do?—A. I have no doubt that he was in possession of all the papers, and that he had refused to give them up.

Q. As it appears that the schooner's cargo could not be landed because entry was refused, and it is certain she could not go to sea without her papers, was it right to call upon me to be answerable for the conduct of officers and seamen belonging to a vessel over which I had no control?—A. I thought it was right.

Support of
crew during
detention.

Q. How long would you have considered me bound to be answerable for the conduct of the officers and the crew of the schooner if her papers had never been restored or she been permitted to enter?—A. So long as the crew had no means of living on board, or until something was settled respecting the schooner.

Q. Then it was to be understood that if the late Governor and the Naval Officer had thought proper never to settle the matter in dispute respecting the schooner, I should have been for ever bound to pay, victual, and to be answerable for the conduct of her officers and crew?—A. If the Governor or Naval Officer, or either of them, did an illegal act, an action would lay and they must answer it.

Macarthur's
legal
remedy.

Q. Do you mean to say that if I had brought an action against the Naval Officer, and that he had urged in his justification that he had acted by the orders of the late Governor, that you, under the then existing state of things, would have presumed to allow me to enter an action?—A. To that I answer that if Mr. McArthur had come to me and said I want to enter an action against Mr. Campbell for £10,000, the action or writ would

* See the letter of 14th December, 1807, from Atkins to Macarthur, printed on the previous page.

† See the letter of 14th December, 1807, from Macarthur to Atkins, printed in the indictment—ante, p. 466.

not have been refused him ; but when the cause came to be heard and was at issue, I cannot take upon myself to say what the decision of the Judge-Advocate and the two members would have been, or what plea Mr. Campbell would have set up. I would not have refused to enter an action against Mr. Campbell as Naval Officer.

1808

2 Feb.

Q. Did you not know that the schooner had been removed from a place of safety in the Cove and taken by order of the Naval Officer or Governor into one so exposed that she was in the greatest danger of drifting on shore?—
A. I did not.

Q. Do you not know that it is the duty of the master of any vessel immediately to make a protest in behalf of himself, his owners, and the underwriters concerned whenever he shall conceive that he has been illegally treated.—A. I dare say it is.

Q. Is not making a protest the first legal preparatory step to the commencement of a civil action?—A. I do not know that it is. A protest.

Q. Were you not the Notary Public of this colony?—A. Governor King appointed me to that office.

Q. Did not the master of the Parramatta schooner, accompanied by myself and Mr. Blaxcell, present a protest to you?—A. He did.

Q. Did you not at first refuse to note that protest?—A. I did.

Q. Did I not request you to acquaint yourself with its contents?—A. I think you did.

Q. Did you not then read the protest and require some hours to consider whether you should note it or not?—A. I think I did.

Q. Did you not return the protest, refusing to have anything to do with it?—A. I returned the protest with my compliments, and begged leave to decline receiving it. The protest returned.

Q. Did you not first consult the Governor, and ask him whether you should or should not discharge the duty of your office?—A. I carried the protest up to the Governor to know if I should receive it or to that effect ; but I must observe that it was no more than my usual practice to do when the executive government was in any manner concerned. Consulting the Governor.

Q. Did you consult the executive authority in these cases because you thought it was right, or because you was afraid had you done otherwise that you would have been ill-treated?—A. If I had taken it without the Governor's consent, I should, I have no doubt, have been reprobated by him, and should have incurred his displeasure.

Q. Has the late Governor ever expressed his displeasure to you for acting in a manner that you knew to be right, in indecent and outrageous invectives?—A. He certainly has expressed his displeasure in a manner that has hurt my feelings. Atkins and Bligh.

Q. State to the Court the most improper expression that you recollect he has ever made use of to you on such an occasion?—A. I have received very abusive language from him, but cannot call it to mind. Bligh's abusive language.

Q. Has he never told you, and at the same time shaking his fist in your face, "Sir, you have two opinions, have you—a public opinion and a private opinion"?—A. I think he did make use of the gesture and words.

Q. Did he never call you a wretch or villain?—A. Never to my recollection.

Q. Did he never so operate on your feelings by his threats and by his violence as to induce you to declare that if you knew His Excellency's opinion you would take care to make your own conform to it?—A. Such a circumstance is not within my recollection ; but I might have said that in trifling things I would give way rather than have words with him.

Q. Have you not, through fear of his vengeance, been induced to give opinions and to decide on causes contrary to what you knew to be just?—A. I do not think it a proper question, therefore decline answering it. Brow beating the Judge.

1808

2 Feb.

Q. Did you never alter an opinion which you had given as Judge of the Civil Court by order of the Governor?—A. I cannot call it to mind.

Q. Do you think it impossible that you did so?—A. I do not think it likely that I did so.

The warrant for Macarthur's arrest.

Q. You have heard the letter read* ;—did you not, in consequence of the receipt of that letter, issue the following warrant for the apprehension of my person. *Warrant read, as follows:—*

"New South Wales: Whereas complaint hath been made before me upon oath that John McArthur, Esq., the owner of the schooner Parramatta, now lying in this port, hath (illegally) stopped the provisions of the master, mates, and crew of the said schooner, whereby the said master, mates, and crew have violated the Colonial Regulation by coming unauthorized on shore; and whereas I did by my official letter, bearing date the 14th day of this instant Dec'r, require the said Mr. McArthur to appear before me on the 15th day of this instant Dec'r, at ten o'clock of the forenoon of the same day; and whereas the said John McArthur hath not appeared at the time aforesaid nor since, these are therefore, in His Majesty's name, to command you to bring the said Jno McArthur before me and other His Majesty's Justices on Wednesday next, the 16th inst. Dec'r, at ten o'clock of the same day, to answer in the premises; and hereof fail not.

"Given under my hand and seal, at Sydney, this 15th day of December, 1807.

"RICH'D ATKINS, J.-A.

"Mr. Francis Oakes, Chief Constable, Parramatta."

--A. I did.

Q. Did you issue that warrant by order of the Governor?—A. No; but with the approbation of the Governor.

Q. Under the authority of what law or statute did you issue that warrant?—A. I conceived that I issued that warrant for a contempt of not obeying the official summons I sent.

A letter or a summons.

Q. What summons do you allude to?—A. The letter.†

Q. Do you not know that the law requires a summons should be directed to a constable, commanding him to serve it, and do you not know that a sealed letter is no summons?—A. I do know that a sealed letter is no summons in law; and if my politeness to Mr. McArthur has brought me into an error, I think it ought not to be taken advantage of.

Q. Do you not think, when you talk of politeness, that politeness and justice required you should have taken legal measures; if you thought your letter not properly attended to, that you should have issued a summons and not a warrant, which was to drag a gentleman from the bosom of his family at a late hour of the night?—A. I conceived Mr. McArthur would have taken that letter as I meant it—as a summons; therefore, it not being attended to, I did issue a warrant.

Q. Do you conceive that because you chose to disregard legal forms all other persons are bound to conform to your practice?—A. I certainly do not.

3rd February.—Court met pursuant to adjournment. [The prisoner continued to cross-examine Mr. Atkins.]

The prisoner requested the warrant, dated 15th December, may be read, which was read accordingly.

Atkins's reasons for issuing a warrant.

Q. Did you think the cause assigned in that warrant sufficient justification to order the arrest of my person?—A. I did, in consequence of supposing my official letter had the full effect of a summons, and conceiving that letter was treated with contempt, was the cause of my issuing the warrant.

* See Macarthur's reply to Atkins, dated 14th December, 1807, printed in the indictment ante, p. 466.

† The letter referred to was that of 14th December, 1807, from Atkins to Macarthur, ante, p. 471.

Q. Do you not know that when two or more magistrates are assembled in sessions that they are a Court of Record, and possess more ample powers than any single magistrates; and do you not know that it is declared in *Burns's Justice* "that the Sessions cannot award an attachment for contempt in not complying with their orders?"—A. I know of no such Court in this colony as a Court of Sessions; all judicial proceedings in this colony have been guided by the Patent, and it there expresses that the Courts of Civil and Criminal Jurisdiction shall be Courts of Record. I believe no attachment of the person can issue from a Court of Sessions in England.

1808

2 Feb.

English and
Colonial
procedure.

Q. Do you not know that it is declared in *Addington's Penal Statutes* that no justice of the peace can meddle with any matters except some statute gives them power, for they have all their power by statute and none by common law.—A. I do not recollect that Addington mentions it. I have not been in the habit of consulting law books, but on such cases to obtain information as were at the time under my consideration.

Q. Can you produce any statute or law authority to justify the apprehension of my person for not choosing to comply with the request, or order, communicated in a sealed letter?—A. I cannot.

The law in
regard to
arrest.

Q. Do you not know that it is declared by Burns "that if a magistrate issue a warrant, wherein he hath no jurisdiction, or in a matter wherein he hath no cognizance, the officer ought not to execute such warrant; for if a justice send a warrant to a constable to take up one for slander or the like, the justice hath no jurisdiction in such cases, and the constable ought to refuse the execution of it"?—A. I dare say I have read it, and have no doubt it is as stated by Mr. McArthur.

Q. What steps did you take after being informed that that warrant had not been executed?—A. Mr. Oakes came to me in the morning to my office, about 6 o'clock in the morning, 16th December, and acquainted me with the circumstances that did occur in the execution of that warrant on Mr. McArthur at Parramatta. Mr. Oakes informed me that he had received my warrant and that in consequence that he had gone to Capt. Abbott to mention that he had such a warrant. That after that he went to Mr. McArthur's house and found him in bed. He (Oakes) rapped at the window, on which Mr. McArthur got up, and, on Mr. Oakes entering the house, informed Mr. McA. that he had a warrant against him. Mr. McArthur requested to look at it and Oakes gave it to him, and I think said a copy was taken by Mr. Han'l McArthur. That Mr. McA. flew into a violent passion and said he never would submit to it, and he stated also that Mr. McArthur said he never would submit to such horrid tyranny. That Mr. McArthur wrote the following paper:—

Serving the
warrant on
Macarthur.

"Mr. Oakes,—You will inform the persons who sent you here with the warrant you have now shewn me, and given me a copy of, that I never will submit to the horrid tyranny that is attempted until I am forced; that I consider it with scorn and contempt, as I do the persons who have directed it to be executed.

Macarthur
refuses to
obey
warrant.

"Parramatta, 15th December, 1807.

"J. MCARTHUR."

Which being read, Mr. McArthur acknowledges to be the paper he wrote and gave to Mr. Oakes. I further state that Mr. Oakes informed me that he had said to Mr. McA., "Shall I wait on you in the morning, sir?" Mr. McA. replied, "Keep that paper, for that will be your justification," or to that effect; and that Mr. McA. further said, "Leave them alone; they will soon find a rope to hang themselves," or words to that effect. Oakes then went away from Mr. McA., and came down the next morning and related what I have before stated, on which I went up to Government House and asked for the Governor. They informed me he was not stirring, on which I went away, and was sent for in about half an hour. I related to the

1808 Governor what Mr. McArthur had told me, and showed the Governor the
2 Feb. paper, on which the Governor ordered me to convene a Bench of Magistrates,
which I did, and they met. The following paper being read is their pro-
ceedings thereon :—

“ 16th December, 1807.

The
attempted
arrest of
Macarthur.

“ MR. Francis Oakes, chief constable at Parramatta, came this day before us, and deposed on oath that in consequence of a warrant from the Judge-Advocate to him directed, he went to the house of John McArthur, Esq., and presented to him the said warrant. That after his having read it, he fell into a great rage, and said he would not submit to it until he was forced; and said, ‘ You may tell the person that he treated it with scorn and contempt as he did the persons that sent it.’ and said that if the person directing that warrant had served it instead of him (the deponent) he would have spurned them from his presence; and deponent further says that the said Jno. McA. declared in his presence that if he came a second time to come well armed, for that he would never submit until there was blood shed. The said John McA. averred that he had been robbed of £10,000; that he did not consider he had committed a criminal act; and that he would not go, but said, ‘ Let them alone; they will soon make a rope to hang themselves.’

“ FRANCIS OAKES

“ Sworn before us, this 16th December, 1807,—

“ R'D. ATKINS,
“ GEO. JOHNSTON,
“ ROB'T. CAMPBELL.
“ JNO. PALMER.”

The Court was then cleared, and after much conversation respecting the business before them, they were of opinion that as I had issued the first warrant it would be better for me to issue the second, which I did, and was read as follows :—

A second
warrant for
Macarthur's
arrest.

“ New South Wales : Whereas on the 15th day of December, in the year of our Lord 1807, I issued my warrant, directed to Mr. Francis Oakes, chief constable at Parramatta, authorizing him to bring before me John McArthur, Esq., to answer in the premises; and whereas the said Francis Oakes came this day before a Bench of Magistrates, the Judge-Advocate, Major Geo. Johnston, Robert Campbell, and John Palmer, Esq's, justices assigned to keep the peace being present, and deposed on oath that the said John McArthur had refused to obey the said warrant, but treated it in the most contemptuous and disrespectful manner; these are therefore to authorize and require you to take into your custody the body of the said John McArthur, Esq., and him safely lodge in His Majesty's jail until he shall be discharged by due course of law;—for which this shall be your authority.

“ Given under my hand and seal at Sydney, this 16th day of December, in the year of our Lord 1807.

“ RICHARD ATKINS, J.-A.

“ To Mr. John Redman, Chief Constable at Sydney; Mr. Francis Oakes, Chief Constable at Parramatta; and all other His Majesty's peace officers and all others whom it may concern.”

Macarthur
arrested.

I delivered the warrant into the hands of the persons to whom it is directed and they went away. In a short time they returned and said they could not find Mr. McArthur. Some little time after, Mr. Gore, the Provost-Marshal, came and acquainted me that Mr. McArthur was at Mr. Grimes's, the Surveyor-General. This being communicated to Redmond [Redman] or Oakes, either by me or Mr. Gore, in consequence of which they went to Mr. Grimes's house, and, I suppose, found Mr. McArthur there, for he (Mr. McArthur) was almost immediately brought before me, in consequence as they (Redmond [Redman] and Oakes) informed me that Mr. McArthur wished to be brought before a magistrate, and Mr. McA. was by me admitted

to bail to appear before a Bench of Magistrates as on the next morning. A Bench of Magistrates was, in consequence, convened for the next morning. The following paper being read to the Court is their proceedings :—

1808

2 Feb.

“ PROCEEDINGS OF BENCH OF MAGISTRATES.

“ 17th December, 1807.

“ THE bail of John McArthur, Esq., having brought him into Court, and the Bench was going to proceed when Mr. McArthur objected to Mr. Campbell sitting as a magistrate on this investigation, stating, among other reasons, that his improper conduct as Naval Officer has been the cause of the present business, and that he had notice given him that it was his intention to institute an action against him for £10,000, and that for these reasons he considered Mr. Campbell as an interested person, therefore objects to him. An interested magistrate.

“ On the Bench being cleared two of the magistrates were of opinion that the objections against Mr. Campbell sitting were sufficient, and two magistrates were of a contrary opinion.

“ On the Bench being opened, and the opinion of the Bench read, Mr. McArthur, after having addressed the Bench in a few words, waived his objections against Mr. Campbell's sitting; but Mr. Campbell declined taking his seat, and the Bench proceeded.

“ Mr. Gore, the Provost-Marshal, came into Court and delivered the following messages from the Governor to the Judge-Advocate: “ His Excellency the Governor-in-Chief is debarred the opportunity of consulting with the Judge-Advocate, the only law officer of the Crown in this territory. He has directed me to submit to the Judge-Advocate, now sitting in Court, whether the affair now investigating before the Bench—it being a matter not of property but a charge of a criminal nature—whether a member of the Bench can be excepted against as incompetent, from interested motives, to sit as a member thereof.”* A message from Bligh.

“ Mr. Francis Oakes, Chief Constable at Parramatta, sworn, says that he received a warrant from the Judge-Advocate for the purpose of bringing John McArthur before him, in consequence of which he went to the house of Mr. McArthur and served it on him. Mr. McArthur asked him to let him look at it, which he did. After having read it he fell into a great rage and said, “ You may tell the persons directing that warrant that I never will submit unto it until I am forced, for I treat it with scorn and contempt, as I do the persons who have sent it.” He further said: “ Had the person who directed it served it instead of you he would have spurned them from his presence.” He further said, “ that if I came a second time to come well armed, for he never would submit till blood was shed.” He further said: “ That he had been robbed of £10,000, and that he had not committed any criminal act, and that he would not submit to the warrant; but let them alone, they will soon make a rope to hang themselves.” He likewise mentioned the Governor's name with a great deal of disrespect. The paper† being shewn him, he says he saw Mr. McArthur write that paper, which he afterwards delivered to him. Evidence of the constable.

FRANCIS OAKES.

“ Mr. McArthur being asked if he has anything to say, states: ‘ That he stands before you, gentlemen, as a prisoner under the authority of a warrant from the Judge-Advocate.’ Mr. McArthur proceeding to call in question the legality of the Judge-Advocate's warrant, the Bench stopped him, not considering it an object for their consideration. Macarthur committed for trial.

“ Mr. McArthur stands committed for a Criminal Court.

“ R'D ATKINS.

“ GEO. JOHNSTON.

“ E'D ABBOTT.

“ JNO. PALMER.”

*Note in the original.—“ This message answered by letter to His Excellency the Governor, but not copied in the proceedings.”

† Ante, p. 475.

1808

In consequence of such committal Mr. McArthur was admitted to bail to appear before the next Criminal Court.

2 Feb.

A Council of War.

Q. When you went to the Government House to inform the Governor of what I had said respecting your first warrant, did you take Oakes with you, or was he sent for?—A. He was sent for to Government House, and he came.

Q. What occasioned the late Governor and yourself, with Oakes, to go out of Government House and to walk on the high ground behind?—A. To prevent any person hearing what was said.

Q. Was not Oakes's story put into a state of arrangement during this walk, as it was to be told before the Bench of Magistrates ordered to assemble?—A. It was not. Oakes related his story to the late Governor, the Governor asked him some questions respecting the business, and Oakes was desired to attend the Bench of Magistrates and relate what he knew and had stated to the Governor.

Q. Was the late Governor civil and kind in his manner to Mr. Oakes?—A. He was.

Robert Campbell.

Q. It appears from the proceedings of the Bench of Magistrates who committed me for trial that Mr. Campbell voluntarily declined sitting after being objected to by me;—do you think he did so because he thought he had no right to sit or because he was ashamed to sit after the remarks I had made on his attempting it?—A. I must confess that I was surprised that on Mr. McArthur making the first objection to him that he did not decline sitting; and I gave him an opportunity by saying, I think, "What do you say, Mr. Campbell?" but he made no reply, and the Court was cleared, and on the opening of the Court Mr. McArthur then addressed the Court on the impropriety of Mr. Campbell sitting; but Mr. McArthur waived his objection, when Mr. Campbell declined sitting, and the Bench proceeded.

A charge of high treason.

Q. Do you remember that when Mr. Gore, the Prov't-Marshal, came before the Bench of Magistrates and delivered a message requiring the immediate attendance of the Judge-Advocate on the Governor, that he, amongst other things, said "that he was directed by the Governor to accuse me of an overt act of high treason," and I requesting that part of the message might be taken down?—A. I well recollect Mr. Gore, the P.M. delivering a message to that effect.

Q. Do you remember that when I was brought before the Bench of Magistrates on the 17th Dec'r that you declared the Bench had power either to commit me for trial or to punish me at their discretion, either by fine or imprisonment?—A. Such an assertion is not within my recollection.

Truckling to Bligh.

Q. Previous to the Bench assembling, had you not a firm reliance that two members of the Bench—namely, Messrs. Palmer and Campbell—would coincide in your opinion as to the manner I was to be treated?—A. I firmly believe, from the observations that I have made on those gentlemen as magistrates, that they would in most cases—but I will not take upon myself in all—give their opinion in a manner most congenial to the late Governor's opinion.

Q. After my commitment you have stated that Geo. Crossley prepared the information now exhibited against me;—did he do that with the approbation or by the desire of the Governor?—A. Crossley told me he did.

George Crossley.

Q. Have you not been obliged to govern yourself by the opinion of Crossley in every step which has been taken since my commitment until the late Governor was happily superceded?—A. Crossley's opinion as to the mode of proceeding did govern me to the extent stated.

Q. Was the papers now before the Court, containing questions to be asked, the evidences in support of this prosecution drawn up by you or by Crossley?—A. Not a single question was drawn up by me, but the whole by Crossley; and I recollect that Mr. Palmer, one of the witnesses, in my

presence asked Geo. Crossley for the copy of the questions to be asked him, which he (Crossley) had promised to furnish him with. Crossley replied he should have them in the course of an hour.

1808

2 Feb.

The following paper the prisoner requested might be read, which was read accordingly, viz. :—

25th January, 1808.

“The King } Court of Criminal Jurisdiction.—It is ordered by the Court that unless the defendant plead to issue, on or before eleven o'clock, on the twenty-sixth day of this instant January, judgment of guilty be recorded in this cause. Conviction to follow failure to plead.

“By the Court,

F.A., J.-A.”

Q. State to the Court, was that paper prepared by you or Geo. Crossley ?
—A. I copied it from a paper prepared by Geo. Crossley.

Q. To what purpose was it intended to be applied ?—A. That, in the event of Mr. McArthur refusing to plead, that judgment of conviction should be entered upon record agreeable to the statute.

Q. Why was it expected that I should refuse to plead ?—A. It was a matter of doubt, suspecting that Mr. McA. would object to me as judge of the Court, and should his objections have been overruled by the Court, Mr. McA. might not have pleaded, and then judgment might have been entered on record agreeable to the statute.

Q. Did you expect that if I had objected to you as a judge in my cause, that the Court would have overruled the objection ; and if you did, did you expect that they would have been governed in their opinion by fear of consequences ?—A. I am sensible that, whatever opinion they might have given on that occasion, that they would not have been biassed by fear of consequences, but would have been actuated by the dictates of their own ideas.

Q. You have repeatedly declared that the first comp't in the information relating to the affair of the stills was introduced contrary to your opinion ?
A. When Mr. Crossley brought me the information in his own handwriting, he informed me that the first comp't was grafted from an information which he had drawn up some time back by the desire of the late Governor, and which I knew nothing of, and that it was expressly the Governor's direction to him, though contrary to his ideas, that that should make the first comp't in the present information. The indictment prepared by Crossley.

The prisoner requests the proceedings of a Bench of Magistrates of the 24th Oct'r, 1807, may be read, which was read accordingly.

Here follow the proceedings printed on pp. 332 to 335, ante.

Q. Did you take the above proceedings up to the late Governor that day ?—A. I did. The case of Macarthur v. Campbell.

Q. Did you not meet me in the street that evening and tell me that you had been grossly abused for having done your duty ?—A. I cannot recollect it.

Q. Were you not grossly abused at Government House when you took up the proceedings of the Bench ?—A. When I went with the proceedings to Gov't House I was accompanied by Messrs. Campbell, Palmer, and Gore ; upon going into the room where the Governor was, accompanied by those gentlemen, I began, as usual, to read the proceedings. After having read the whole, the Governor did not say anything, but as far as looks would go, appeared to me to be highly dissatisfied. A conversation then took place between Messrs. Campbell, Palmer, and Gore, and Mr. Griffin, in which I appeared to be the butt of their obloquy and sarcasm for the opinion I had given on those proceedings. This continued for near half an hour. At last the Governor said, “Never mind it ; this will do.” The expression was said in such a way as clearly indicated to me the dissatisfaction of the Governor to the opinion I had given on that occasion, and that I did on The Governor's treatment of Atkins.

1808

2 Feb.

Macarthur
and Atkins.

that evening and since mention to several persons that "my feelings were never more hurt than they were on that day." I thought I had been bullied and browbeaten by those persons.

Q. Do you remember meeting me in the street a few days previous to the 24th October, and having said that I was not aware of the hundredth part of the wickedness going forward in the Government House.—*A.* I will not take upon myself to say that I made use of those express words; but I remember opening myself very freely to Mr. McArthur at that time, and I have no doubt that I did express my high dissatisfaction at what was going on at Government House.

Q. Previous to the assembling of the Criminal Court on the 25th of January last, did I not make repeated written applications to you for a copy of the information on which I am now prosecuted on?—*A.* I received three letters on that subject from Mr. McArthur, and my reason for refusing to give it was because Mr. Crossley had informed me that by law he was not entitled to it until he had pleaded to it.

An
arbitrary
dictum.

Q. Had not the late Governor declared in your presence that his will should be the law, and woe be to him that dared to oppose it, or words to that effect?—*A.* He has.

Mr. Atkins's depositions—which he acknowledges to be correct—the prisoner requests may be ent'd in the minutes—which are as follows:—

[Mr. Atkins's depositions are printed with others on p. 447, ante. They have, therefore, not been repeated.]

Q. from the Court to Mr. Atkins. Have you reason to suppose that Mr. Campbell is acquainted with the questions he was to be asked on Mr. McArthur's trial?—*A.* I cannot speak to my own knowledge: but Mr. Crossley informed me that he was going down to Mr. Campbell to show them to him.

Mr. Edmund Griffin sworn:—

Evidence of
the
Governor's
Secretary.

There being fifteen questions found in the papers left by Mr. Atkins in the Court on the 25th January in the handwriting of Mr. Griffin, the Governor's Secretary, which questions Mr. Atkins intended to ask the evidence on the present trial, the Court asked them in their original order.

Q. 1. Was you or not present on the 8th day of March, 1807, or at any other and what time, when the master of the ship or vessel the Dart came to Gov't House with Mr. Harris, the then Naval Officer, or with any other and what person, to make a report to the Governor of the arrival of that vessel, with the manifests or account of the cargo?—*A.* I was.

The stills.

Q. 2. Upon his delivery to the Governor, or any and what other person, the accounts of that vessel's cargo, did it not appear there were two stills on board: and if yea, did or not the Governor direct that those stills should be deposited in one, and which, of His Majesty's stores, to be there safely kept until an opportunity happened that they might be sent back to England, or what directions were then made with respect to those stills being suffered to be landed, and on what conditions?—*A.* Upon Mr. Harris, who was the then Naval Officer, with the master of the vessel producing the ship's papers, it appeared on one of the papers that there were two stills on board the vessel, and I think that Mr. Harris particularly pointed them out. The late Governor expressed much surprise at it, and desired that they should be put into the bonded store, on which conditions they were allowed to be landed, and directed Mr. Harris to have them in readiness to be sent back to England.

To be
returned to
England.

Q. 3. Then you say that the Governor's permission to let those stills be landed was only on the condition that they should be put out of the ship into one of the King's stores to be kept safe until they could be sent back to England?—*A.* I did understand so.

Q. 4. Those directions were given by the Governor in your presence to Mr. Harris, the then Naval Officer,—were they or not?—A. They were. 1808

Q. 5. Did you at any time after, and when, hear Mr. Harris tell the Gov'r that the bodies of those stills were at Mr. McArthur's house and not in the store?—A. I heard Mr. Harris tell the Governor so, some time the latter end of March or April. 2 Feb.
Orders for
their
re-shipment

Q. 6. What did the Gov'r direct Mr. Harris to do on the receipt of such an account, or what orders did he give?—A. The Governor directed Mr. Harris to comply with his original orders that the stills as invoiced should be lodged in the bonded store.

Q. 7. Was you present in the month of Oct. last, or at any other time, when the Governor gave a direction to Rob't Campbell, Esq., the now Naval Officer, to have those stills taken from the store and sent on board the ship or vessel the Duke of Portland?—A. I was present when those directions were given at the time stated. on board the
Duke of
Portland.

Q. 8. Was or not the vessel the Duke of Portland at that time laying in Sydney Cove, and in a short time expected to depart on her voyage to England, or how else?—A. She was laying in the Cove and expected to sail for England.

Q. 9. Upon it being at this time discovered that the bodies of those two stills were not put into the King's store, according to the condition they were suffered to be landed upon, what orders did the Governor, or any other person, to your knowledge give on that occasion?—A. The late Governor directed Mr. Campbell, the Naval Officer, should ship the stills compleat. The
Governor's
orders.

Q. 10. Do you in any ways know the handwriting of the prisoner (John McArthur, Esq.); and if yea, look upon the paper writing now produced and shewn to you, and say if it is or not the handwriting of the prisoner, as you know or believe. Letter read as follows:—

"Sir, "Sydney, 19th October, 1807.

"Mr. Blaxcell has communicated to me the contents of a letter from you of the 12th inst., relative to two stills imported into this colony in my ship the Dart, which you state the Governor has directed are to be shipped on board the Duke of Portland. Macarthur's
reply.

"In answer, I must beg you to acquaint the Governor that I have nothing to do with the still belonging to Capt. Abbott, and that it is my intention to dispose of my own to some ship going to India or China. If that sh'd be objected to, the head and worm can be disposed of as His Excellency thinks proper, and I shall appropriate the copper to some domestic use.

"I am, etc.,

"Robert Campbell, Esq.

"JOHN MCARTHUR."

A. Letter produced (as above), to the best of my knowledge is Mr. McArthur's handwriting.

Q. 11. It not only appears by this letter that the prisoner (Mr. McArthur) was owner of the ship the Dart—as he calls it my ship the Dart;—do you or not know by any other and what way that the prisoner was the owner of that vessel or not?—A. I have no doubt Mr. McArthur was an owner of the ship Dart.

Q. 12. Did you hear the prisoner make a speech, or address, which at his request was taken down by the Judge-Advocate; and if yea, look upon the paper writing now produced to you*, and say if those are or are not the words then and there pronounced by Mr. McArthur or not: declare.—A. Yes.

Q. 13. Do you or not believe and understand by these words, and the manner in which Mr. McA. used them, that this speech was made to incite hatred and ill-will to the Governor and Government of this territory in the Macarthur's
address to
the
magistrates.

* See the copy of Macarthur's address in this case (24th October, 1807), ante, p. 335.

1808
2 Feb.

minds of the people there assembled, or how otherwise?—A. After leaving the Court, I expressed myself on my return to Government House to the Governor and several gentlemen assembled there that I did conceive Mr. McArthur had spoken a very inflammatory speech, and that it appeared to me to have a tendency to incite hatred and ill-will against the Governor and Government of this territory.

Q. 14. Does it or not appear to you by the words then used that the speech was calculated to inflame the minds of the bye-standers against the executive power of the Government, and to insinuate to the people that the rights and property of the individuals were unlawfully infringed upon by the Governor, those in the authority of the Government, or how else?—A. It did so appear to me.

Q. 15. Is it not customary for the Governor to give his directions verbally in matters like those enquired of?—A. The Governor always gives his orders to the Naval Officer verbally, to the best of my recollection.

The Prisoner's cross-examination of this evidence :—

Griffin
cross-
examined by
Macarthur.

Q. Are you not in the habit of being consulted by the late Governor and of giving your opinion on most subjects of public business to him?—A. I have been.

Q. Did the Governor on important business frequently follow your advice?—A. Yes, in some instances.

Q. How old are you?—A. Twenty-one in September next.

Q. On the oath you have taken, did you not know that the bodies of the stills remained in my possession from the time that they were landed until the time they were forcibly taken away?—A. I did not know they were in Mr. McA's possession until I heard it from Mr. Harris, sometime in March or April.

Q. As you heard the bodies of the stills were in my possession in March or April, did you not know that they remained there until they were seized?—A. In Oct., when the late Governor gave the Naval Officer (Mr. Campbell) directions about the stills, I expressed my doubts that Mr. Harris had put them in the bonded store.

The
inflammatory
address.

Q. You have stated that you thought the speech I made to the Bench of Magistrates respecting the unlawful seizures of the bodies of those stills was an inflammatory one, and that it appeared to you to carry hatred and ill-will to the Governor and Government of this territory :—pray, sir, were you born in England or Turkey?—A. I was born and educated in England.

The rights of
property.

Q. Now, sir, as you have acted as counsel to the Governor, are you acquainted that the property of an Englishman cannot be taken from him without lawful authority in writing?—A. I do not know the law sufficient to answer it.

Q. Do you not know that these coppers were taken from me without any authority in writing?—A. I really believe there was none.

Q. Has it never occurred to you that such a seizure of property and such a mode of proceeding was more likely to incite hatred and ill-will against the Gov'r than anything I could say or do?—A. No, never in the most distant manner, except that I suppose Mr. McArthur would not like it.

Q. How did you know I would not like it?—A. I supposed so, the stills having been brought into the colony, and the Gov'r ordering them out again.

Macarthur's
still.

Q. Did you not know that these stills were regularly entered in the Custom House at London, and that they were fairly and openly brought into this colony; and do you not know that the manifests from the Custom House contained a specification that two stills made part of the cargo of the Dart?—A. The two stills did appear on one of the ship Dart's public papers; by that paper the stills did appear to be brought openly into this colony.

Q. Do you not know that the heads and worms of both stills were readily given up to the Governor's order and lodged in the public store?—A. I did know, from Mr. Harris's report, in March or April, that the heads and worms were given up directly and put into the public stores, but that Mr. McA. said that he would keep the boilers—they were full of medicines, which came packed from England, in them—and after their being emptied he would employ them for domestic purposes.

1808

2 Feb.

Q. Can you state to the Court what made the late Governor so particularly anxious to get those stills out of the colony?—A. The Governor conceived they were illegally imported, and that he would send them to the Commissioners of the Customs.

Q. On the oath you have taken, did you never hear anything of a plan of carrying on a public distillery, under the firm of Palmer, Campbell, and Co., or either of those persons?—A. Never heard such a thing hinted at. A rumour.

Q. You have stated that the Governor frequently gives verbal orders—not written ones?—A. To the Naval Officer.

Q. Does he not frequently give verbal orders to other persons?—A. Yes. The

Q. Have you never heard the Governor assign a reason for declining on a variety of occasions to give written orders, and declining on many others to give written answers?—A. I cannot charge my recollection. Governor's verbal orders.

Q. Have you never heard him tell persons, at their peril, never to give any written messages he might send them with?—A. I cannot charge my recollection.

The following paragraph being read from the copy of the Governor's public letter to the Secretary of State, by the Duke of Portland :—

“The distillation of spirits being prohibited for the best and wisest reasons, everything has been done to prevent such a destructive business being carried on; nevertheless a defiance has been set up to Government by Mr. McArthur in importing a still of sixty gallons, directed to himself, and another of forty gallons directed to Capt. Abbott, of the New South Wales Corps, brought out in the ship Dart, consigned to Mr. McArthur as part owner of the said ship with the House of Hullett's and Company, of London. These stills I ordered into the King's stores to be sent to the Custom House, in London, by the safest opportunity. On their being directed to be shipped on board the Duke of Portland the coppers were found in Mr. McArthur's house, from whence, after some objection, they were taken by a young gentleman (the Naval Officer's clerk) in consequence of my orders, and shipped with the other parts; but Mr. McArthur, not being satisfied, called the Naval Officer's clerk before a Bench of Magistrates (the minutes of which are enclosed) and on which I regret being obliged to shew by his speech the inimicability of his mind to Government, and particularly in renewing a remembrance of a person who has been the disturber of the tranquillity of the colony.”^a Distillation of spirits prohibited.

The prisoner requires the evidence to state why this erasure was made?—A. The Governor, on comparing the copy, desired it to be left out without assigning any particular reason; but I think the Governor thought it too severe. An erasure.

Q. By what act do you divine the Governor's thoughts?—A. I do not pretend to any such act.

[The prisoner having closed his cross-examination of this witness on the part of the Crown, wished to defer the examination on his own part until he had made his defence, which was overruled by the Court, who are of opinion that Mr. Griffin should now be examined fully. Court adjourned until 8 o'clock to-morrow morning.]

* The pen had been drawn through the words printed in italics. The despatch from which the above extract is taken was dated 31st October, 1807—ante, pp. 364 and 365.

1808

4th February, 1808. *The Court met, pursuant to adjournment.*

2 Feb.

Mr. Edmund Griffin, sworn :—

The charge
against
Macarthur.

Q. from the Prisoner. I am charged with endeavouring to excite hatred and ill-will in the minds of the inhabitants of this colony against the Governor and Government of this territory, and you have been brought forward to support that charge. It is now my purpose to call upon you to prove that I am an innocent and falsely accused man. I therefore ask you whether you ever witnessed an act of mine which displayed a determination on my part to commit so enormous an offence?—A. It does not come within my knowledge; only the act of making a speech before a Bench of Magistrates, which I conceived to be inflammatory.

His address
to the
magistrates.

*Q. (Speech produced)**—Point out the part that you conceived inflammatory?—A. That part, "It would therefore appear, &c.," and from the very particular manner the speech was delivered to the bye-standers.

Q. Do you not know that my property was taken from me?—A. I know that the two bodies of the stills were taken from your house.

Q. What office does the person hold in the colony that took them?—A. The person that took them was, I believe, Mr. Robt. Campbell, junior, and he was clerk, as I understand and know, to Mr. Rt. Campbell, magistrate and Naval Officer.

Seizure of
the stills.

Q. What authority had that person for seizing these copper boilers?—A. I believe he had the Naval Officer's verbal orders.

Q. Did you ever hear or ever read of any man being criminally prosecuted for going before a Bench of Magistrates and complaining that his property was wrested from him by a non-accredited individual, who had no authority to show to justify such a deed of violence?—A. I do not recollect ever having read or heard of such an act.

The rights of
the subject.

Q. Did you ever hear of any man being dragged as a criminal to the bar of a court of justice for calling upon the magistracy of the country to decide whether his property could be so taken from him with impunity to the offender?—A. No, I never did.

Q. Do you not know that the law allows every man to complain to the magistracy of any injustice he may conceive he may have suffered?—A. I have always understood that every individual has that right?

Q. What more then have I done, and upon what ground do you defend your declaration that I intended to excite hatred and ill-will in the minds of the people against the Governor and Government of this territory?—A. I have no other ground than having been present and heard it, and it is my opinion.

Macarthur
and Bligh.

Q. When you came as a spectator of the proceedings of that Bench of Magistrates, can you on your oath say that you came with an honest, impartial, and unprejudiced mind?—A. I cannot say that I was unprejudiced against Mr. McArthur, from everything I have heard.

Q. You have frequently seen me at Government House in apparent habits of familiar intimacy with the late Governor?—A. No more familiar than any other gent'm. that visits Government House.

Macarthur
at
Government
House.

Q. Have you not frequently seen me breakfast, dine, and sup at Government House on the same day?—A. I cannot charge my recollection if on the same day; but I have frequently seen Mr. McArthur breakfast, dine, and sup there.

Q. Do you not know that the Governor has more than once lamented that he had not a spare bed in the house to accommodate me or any part of my family when down at Sydney?—A. Yes.

Q. When you have seen me at Government House, have I not always been respectful and attentive to the late Governor?—A. It always appeared so to me.

Q. Have you not always seen the Governor polite and attentive to me?—A. Yes.

* See the address to the magistrates, 24th October, 1807, ante, p. 335.

Q. Do you not know that during this apparent friendly intercourse that the Governor was taking measures, both by his speeches and his letters, to distress and ruin me?—A. No, I do not.

1808

2 Feb.

Q. Did you never hear the Governor give any opinion of me during that time?—A. I cannot charge my recollection.

Bligh's
alleged
enmity to
Macarthur.

Q. Did you never hear the Gov'r speak of me before he came here?—A. I do not recollect.

Q. Do you not know that he had determined, before he came here, to obstruct me in my pursuits?—A. No, I do not.

Q. Have you never heard any reason assigned for my ceasing to visit at Government House?—A. No. I heard the Governor say one time, on his coming from Parramatta, that Mrs. McA. paid a visit at the Gover'n't House there, when she apologised for Mr. McA. not calling on account of ill-health, on which the Governor said to Mrs. McA. that he w'd call on Mr. McA. He did so, and Mr. McA. came in from riding while he was there, and Mr. McA. informed the Governor he had just been riding round his farm. The Governor expressed his surprise at seeing Mr. McA. so well, having been informed the day before by Mrs. McArthur that he kept his room. Mr. McA. told the Gov'r that that was the first time of his going out since his illness, and that Mrs. McArthur seemed confused. The Governor said he thought it was done that Mr. McA. might have to say that the Gov'r had called on him and that he would not return the visit, since which time Mr. McA. has not been at Gov't House.

Exchanging
visits.

Q. Were you present as secretary to the Governor in the Court of Appeal when a suit of mine was brought forward against And. Thompson?—A. I was.

The case of
Macarthur v.
Thompson.

Q. When that Court adjourned the first time, had I been heard in support of my appeal, or in answer to a paper given in by the respondent?—A. No.

Q. Did you not afterwards furnish me with a copy of the respondent's paper?—A. I did, at your request.

Q. When the Court of Appeal was opened, did I not present a paper to the Governor, stating it was an answer to the respondents?—A. Yes.

Q. Did not the Governor refuse to receive it?—A. Yes.

Q. Did he not instantly direct you to read his award against me, without ever having heard me utter a word in support of my plea?—A. Yes, he did.

The appeal
dismissed.

Q. Have I ever been in Government House since that day?—A. To the best of my recollection, you never have.

Q. During the time the *Sydney Gazette*s were published, was not the proof sheet always brought to Gov't House to be corrected and approved?—A. Yes.

Q. In the *Gazette* which was published the week before the Governor pronounced judgment against me, was there not a paragraph which completely corresponded with, and appeared calculated to justify, the Governor's decision. *Gazette produced, and read as follows:—*

“ 5th July, 1807.

“THE extraordinary fluctuations that have taken place in the price of wheat since the flood in March, 1806, have given rise to many litigations, which a little sincerity might have superceded. It is generally known that when grain was plentiful nearly all bargains made at the agricultural settlements were for the produce of the ground at the store prices. The amount in cash was divided into bushels, and notes issued, rating wheat at its then present maximum—which seldom exceeded 7s. 6d. per bushel, though now at 28s. to 30s. Losing sight of the value of the commodity in exchange for which these notes had been exacted, and the specific terms of the contract are

An extract
from the
*Sydney
Gazette.*

* Andrew Thompson, the Governor's bailiff, at his Hawkesbury farm, ante, p. 262, and note. In the suit referred to, Macarthur sued Thompson for specific performance. Thompson had given him his promissory-note for a certain sum expressed in bushels of wheat at the then ruling rate. During the currency of the bill a great rise in the value of wheat occurred, and the question was, should Thompson's liability be assessed according to the price of wheat when the bill was drawn or when it became due.

1808

2 Feb.

Colonial
currency.

conscientiously demanded, without any consideration of the excessive loss which must evidently fall upon an unfortunate debtor who, to cover an original demand of £50, must necessarily expend £200. How conscience can reconcile the requisition must be referred to those who are interested in the event of such transactions.

Gain a legal
tender.

"It is a happy reflection, however, that disputes of this nature are no longer permitted to arise from an indiscretion in the mode of granting notes of hand. By referring to His Excellency's General Order of 1st November, 1806,* and the proclamation published on the 3rd of January last,† we find a remedy to an evil which many have to lament the pressure of. In the public ordinances above quoted we beg to remind the public it enacted 'that all outstanding notes, payable in copper coin or Colonial currency, are to be considered as sterling money, and the amount sued for as if the term copper coin or Colonial currency had not been expressed; and further, that all checks and promissory notes shall be drawn payable in sterling money, in consequence of the undefined manner in which notes have hitherto been given, and the many evils and litigations which have resulted therefrom in the colony.' It is not only the duty but the interest of every well-meaning man to pay strict obedience to a Regulation, the design of which is to abolish the chicanery to which the inaccuracy of these instruments gave rise. Grain was once considered as a legal tender for a debt contracted, and was, therefore, one species of Colonial currency. It is evidently dangerous, however, for an individual to bind himself in the payment of any specific number of bushels of an article to which unforeseen events may give even a tenfold value—and Shylock still insists upon his bond. The Orders admit not of misconstruction; the sterling value of the note when drawn, in justice should be demanded, whatever be the mode of payment, and any excess upon that just demand is unquestionably an invasion of another's rights"—
A. I recollect the above paragraph alluded to Mr. McArthur.

Q. On the day after the Governor pronounced his decision in the Court of Appeal, was not another *Gazette* published containing a paragraph completely applicable to my suit? *Paragraph read, as follows:—*

"12th July, 1807

Payment in
kind.

"In cases respecting wheat-notes, wherein the present holder is not the person to whom a note was originally granted, is it not an insult to common justice that he should require a greater consideration for it than he had himself allowed? This question is suggested in the idea that if A. receive from B. a note of hand (drawn payable to the latter by C.) for twenty bushels of wheat—it then being at 8s.—he must of consequence have taken such note in consideration of the sterling sum of £8 at the most. Then, if A. retain possession of the note until wheat became five times as valuable as it was when he received it, and then insists upon the sum of twenty bushels, whether does he sue for £8 or £40; and if any sum that exceeds his first and only equitable claim, upon what principle of equity can he pretend to justify—
A. I recollect the paragraph.

Q.—Do you remember in the following *Gazettes* the publication of two letters under the signature of "An Oculist?" *Gazettes read, as follows:—*

"26th July, 1807.

"To the Editor of the 'Sydney Gazette.'

A reply.

"Sir,—Every lover of truth must be pleased at the impartiality of your excellent publication; but much as I admire your luminous style of reasoning and the logical precision of your arguments in general, I confess they failed of their usual effect in the lecture you favoured us with in your last paper on A., B., C.

A suppositi-
tious case.

"Permit me to continue the case you have assumed, and to suppose C. holds an obligation drawn by A., when wheat was at 8s. per bushel, to deliver a certain quantity to B. or bearer, and that before the obligation is

* Ante, p. 198.

† Ante, p. 236.

discharged it falls to 5s., could C. demand either from A. or B. the difference in value occasioned by such a depression of the price? If not, it appears that the literal tenor of every engagement ought to be fulfilled, and that specific contracts must be sacred and binding, as it surely will not be denied that if the holder of an obligation is to bear the loss when the commodity he has bargained for falls in its value, he ought not to be deprived of the benefit of its rise.—Your constant reader,

1808

2 Feb.

"AN OCULIST."

"P.S.—I think your honest zeal has animated you rather too much in your paper of the 5th inst., and the interest I feel for the success of your useful labours induced me to recommend you to abstain as much as possible from calling names, for, altho' well-informed, liberal people are sensible of the powerful effect of that practice, there are many narrow minds with whom it may do you injury."

"Calling names."

"To the observation of 'An Oculist,' the publisher begs leave to reply that, unconscious as he is of any superiority in his style of reasoning, yet he has by no means an inclination to doubt the sincerity of the very flattering encomium with which so well-informed a correspondent has been pleased to honor him. The editor's remarks.

"That the manner in which the 'Oculist' has continued the quoted proposition is at once precise and logical, the judicious reader doubtless will pronounce; but how far his reasoning may be considered to preponderate must be submitted to the public opinion.

"Before he presumes to offer an objection to the above statement of the case between the parties A., B., and C., the publisher respectfully refers the reader to his observations on the subject of wheat notes contained in the *Gazette* of the 5th and 11th of the present month, wherein he presumes not to oppose the fulfilment of specific contracts, but to warn the individual against entering into engagements that might be attended with consequences fatal to his interests. He considered it a well-known fact that the notes floating about the different settlements were made payable in grain, because it was, with little exception, the only mode of payment which the settler had, and ought therefore rather to be considered as a security for the payment of a specific sum than as a specific contract for furnishing the number of bushels expressed. In the one case, the holder of a note for twenty bushels, granted to him under a presumption that 8s. per bushel would be the market price when due, upon the receipt of £8 in money could not be a loser, since that was in the first instance the very extent of his demands. That circumstances may induce him to give a preference to the mode of payment expressed must be admitted, as may a portion of inconvenience likewise from the incapacity of the drawer to comply with the strict letter of the note. A warning.

"In reversing the picture, the publisher requests the 'Oculist's' attention to the doleful condition of a drawer, who, to satisfy an actual demand of £8 originally, must from the most direful necessity, produced by the most disastrous of events, procure by purchase what Providence had deprived him of, and that at a period too, when instead of 8s., the market price was advanced to £4 sterling per bushel. In answer to the query—Supposing a depression in the price to have taken place?—he begs to observe, that in engagements of this kind, men generally look forward to natural events, and that as no such depression could happen unexpectedly, it was in every man's power to guard against its consequences; but now, unhappily, the case was different, the rise was rapid and not gradual, distress and consternation were universal. It was a dreadful reverse which none but the Supreme could have averted, and against which man had not the power to provide. Upon reference to the papers above alluded to, the 'Oculist' will perceive that the publisher was not so immoderate as to presume a wish that his poor opinions should be accepted as a lawful standard. To conscience did he appeal, and if his opinions were erroneous, he trusts they are not Fluctuations in the price of wheat.

1808

2 Feb.

unreasonable. To the charge contained in the postscript, he is at a loss to reply, as he never has in any instance so far departed from a principle of justice as to have recourse to personal animadversion or reflection, and he considers the 'Oculist' to be in possession of too liberal a mind seriously to suppose him capable of so manifest a breach of duty and good manners."

Gazette of the 2nd August, 1807, read as follows :—

"To the Printer of the '*Sydney Gazette*.'"

The newspaper correspondence continued.

"Mr. Editor,—If I disapproved of your representations and reasoning on the subject of wheat-notes previous to the publication of my letter, my disapprobation is not diminished by the reply that accompanied it, for you still persevere in what now appears to me a studied attempt to mislead and confound the public opinion.

An exceptional case.

"I have nothing to do with the persons who you say persecuted the unfortunate sufferers from the flood at the Hawkesbury, and endeavoured to compel them to expend £200 to discharge an obligation originally not worth £50. For the credit of the colony, I hope no circumstance of the kind has happened, and as far as my own knowledge extends, I must say, I know of no instance of such obduracy ; but on the contrary, of many wherein the holders of contracts have humanely postponed their demands to the present year.

Wheat notes.

"In your paper of the 5th and 12th ult., you assert that 'the sterling value of the note (meaning wheat-notes) when drawn in justice, should be demanded, whatever be the mode of payment ; and any excess upon that just demand is unquestionably an invasion of another's right ; and that to demand more for such a note than the original value given 'is an insult to common justice.'

Macarthur's contention.

"An endeavour to propagate such doctrines excited my attention, and was the cause of your being troubled with my sentiments. The spirit of what I am desirous to maintain is, that if I, this year, agree to pay for a certain quantity of wheat to be delivered next season, I have an indisputable right to demand its delivery, however it may rise in price ; because, let it fall ever so low, I am obliged to receive the wheat without any compensation for its diminished value.

Fluctuation of prices.

"Should it however, be the will of Providence to afflict this colony again, and to cause a large portion of our crops to be destroyed, I must indeed be insensible to every feeling of humanity, were the person with whom I had contracted amongst the sufferers, if I did not commiserate his distress. But is the same forbearance to be expected by every individual that I may have dealings with ? Am I to forego my right with the man who has escaped the calamity, and only resists my claim that he may sell his wheat at a tenfold price, or employ it in some profitable speculation ? Or if I do not comply with such a demand, am I to be stigmatised with 'exacting,' with insensibility to the feelings of 'conscience,' with the opprobrious epithet of 'Shylock,' with being 'an invader of another's rights,' 'an insulter of common justice.'

A breach of good manners.

"To use such language upon any occasion is in truth, Mr. Editor, 'a manifest breach of duty and good manners' ; and what is infinitely more reprehensible, the pernicious doctrine with which you have contrived to work up these invectives, is calculated to produce no less an effect than that of destroying all confidence in our mutual dealings with each other, and to banish integrity and good faith from our society.

"Before I conclude, allow me to correct an error you have entertained respecting my expectations of the effect my letter would produce. Re-assured, I never indulged an idea that my reasoning, however logical, however just, would 'preponderate' against the force of any opinion you have avowed."

"AN OCULIST."

A. Yes.

Q. What sensation did those letters produce upon the Governor and yourself?—A. I do not recollect any particular sensation they produced, or any remark being made upon them; but I recollect the Printer's answers were said by the Governor to be well written.

1808

2 Feb.

Bligh and the printer.

Q. Did you never hear the Governor say who he supposed the "Oculist" to be—yes or no?—A. I do not recollect that I did.

Q. Did you never hear him denounce vengeance against the author?—A. No; I do not recollect.

Q. Do you not know that I have never been paid the money awarded me in the Court of Appeal of which I have been speaking?—A. I knew it was not paid some time since, but not now.

Q. Did you not send me in a bill of £5 odd for fees in the Court of Appeal?—A. Yes. Expensive litigation.

Q. Did I not send you back a draft on the Provost-Marshal for the amount, accompanied by an advice underneath, in which I desired the P.-M. to pay your demand and to remit me the balance of what might remain due on the sums the late Governor had awarded me?—A. You did.

Q. Did you not send me back that draft with an indorsement on the back that it was refused payment for want of effects?—A. I did.

Q. Did I not immediately send the money, and obt'n'd your receipt?—A. Yes.

Q. Did you not then feel that I had appealed to the Governor for the recovery of a just debt, and all the justice I had got was a refusal to be heard in support of my plea and £5 odd money out of pocket?—A. No, I did not. Macarthur and the Appeal Court.

Q. Did you not know, sir, that a verdict had been given by the Governor in my favour for £38; did you not know that I had not received a farthing of it, although many months had expired; and did you not know that I had been obliged to pay you £5 odd fees?—A. I knew the verdict was given in favour of Mr. McA.; the Provost-Marshal told him the money was not paid, and the £5 odd money was paid me for fees.

Q. As secretary in the Court of Appeal, knowing these circumstances, was it not your duty to have informed the Gov'r that such a dreadful stain was cast upon the justice of his government?—A. I do not conceive I am obliged to answer any questions that may criminate myself—not that I conceive this to be one. I told Mr. Gore, the P.-M., that I conceived he ought to have put the verdict in effect. Mr. Gore did not conceive he had, until applied to by the parties; but on my advice he got attested copies of the award from me, saying he would execute it.

Q. Did you never tell the Governor this circumstance?—A. I think I did, some time afterw'ds.

Q. What did he say?—A. I do not recollect what he said, or if he said anything.

Q. Did he give you no orders?—A. None that I recollect.

Q. You have seen Geo. Crossley, the well-known perjured and pilloried attorney, frequently at Government House?—A. I have. Crossley and the Governor.

Q. Do you know whether the Gov'r consulted him on points of great consequence respecting the government of this country?—A. Yes.

Q. Did he not consult Geo. Crossley and follow his advice by sending a letter to His Honor, the Lieut.-Governor, accusing the officers composing the Criminal Court, which assembled on the 25th January, of treasonable practices? Letter read as follows:—

"Government House, Sydney,

"Sir,

"26th January, 1808.

"In answer to my letter of yesterday, I received a verbal message by my orderly from you that you was rendered by illness totally incapable of being at Sydney. I apprehend the same illness will deprive me of your assistance at this time; and the Judge-Advocate having laid a memorial Bligh and the officers.

1808

2 Feb.

before me against six of your officers for practices which he conceives treasonable, I am under the necessity of summoning them before me, and all the magistrates have directions to attend at nine o'clock to-morrow morning.

"I leave it for you to judge whether Capt. Abbot sh'd be directed to attend at Sydney to command the troops in your absence.

"I am, &c., " W^m BLIGH.

"To Major Johnston,

" Commanding His Majesty's New South Wales Corps."

The letter
drafted by
Bligh.

A.—I wrote such a letter by the Governor's direction from the Governor's own handwriting; but I suppose the Governor did consult Crossley, as the Governor and Crossley were in an adjoining room, and the Governor brought that letter in his own handwriting.

The
information
drawn up by
Crossley,

Q. Did not Crossley draw up the information which I am now defending myself against by order of the late Governor?—A. The Governor sent an order for Crossley for that purpose; but when Crossley came down he produced a letter from the Judge-Advocate, requesting him to draw out such an indictment or information which the Governor approved of, saying that he had sent to Mr. Crossley to see how far the information drawn by Crossley would agree with that drawn by the Judge-Advocate, and the Governor approved of Crossley's proceeding to draw out an information, and directed him to do it.

and the
questions.

Q. Did not Geo. Crossley write all the questions which the Judge-Advocate was to ask the evidences to support this prosecution?—A. Yes.

Q. You also copied them?—A. Yes.

Q. Did you ever rehearse or repeat your answers to these questions before the late Governor?—A. I did repeat the purport of what I could answer to those questions to the Governor.

The trial
of 24th
October.

Q. Were you present at Gov't House on the 24th October, when the Judge-Advocate brought the proceedings of the Bench of Magistrates to the late Governor?—A. Yes.

Q. Was not the Judge-A.'s opinion on that Bench very much found fault with?—A. Yes.

Q. Who found fault with it?—A. I believe I did myself, and the Gov'r too.

Q. In what manner was he found fault with?—A. I do not recollect the particular manner in which he was found fault with.

Bligh
upbraids
Atkins.

Q. Would you not have been very much hurt if you had been spoken to in the same language that you used to the J.-A. on that occasion?—A. I think I should.

Q. Was it not determined between that day and the 1st of the following month that the Judge-Advocate should be punished for his opinion by a representation to Government against him?—A. No, it was not; the representation was determined on before.

Atkins
terrified.

Q. Has not the Judge-Advocate been terrified by the threats and violence used towards him at Government House into a declaration that he would take care that his opinions should always agree with the Governor's—or words to that effect?—A. I do not know.

Abused by
the
Governor.

Q. Have you ever heard that he has been opprobriously abused by the Governor?—A. Yes.

Q. In what language?—A. I do not recollect the particular language.

Q. As you have declared you have repeatedly given your opinion to the Gov'r, did your humanity ever induce you to point out to him the indecency of abusing an old man of 60 years of age,† who filled the first law office in the colony?—A. I never did give my opinion on that head as I recollect.

* These proceedings in the case of Macarthur v. Campbell, jun'r, are given on p. 32, ante.

† According to the *Gentleman's Magazine*, vol. xc, p. 571, Atkins died at High Wycombe on 21st November, 1820, aged 75. This would make him 63 years of age at the time of the trial.

Q. As you have stated that my words and manner before the Bench of Magistrates was in your opinion calculated to excite the hatred of the people against His Majesty's Government, did it never occur to you that degrading and abusing the only judge in the colony was more likely to bring the Government into contempt than any words or looks of mine?—A. No; it never did occur to me.

1808

2 Feb.

Bringing the Governor into contempt. Consulting Crossley.

Q. On the 25th October, the day following that on which my complaint was made before the Bench, did you not go to Woolloomoolloo, by order of the Gov'r, to consult with Crossley on the best means to pursue to punish me for having made that complaint?—A. I did go to Woolloomoolloo, by order of the Gov'r for Crossley to make his remarks, which he did in writing, stating it was indictable, and an indictment or information was drawn up by Crossley.

Q. I suppose you went to Woolloomoolloo because it is in a remote situation, and there was a better chance that your meeting with Crossley might be kept secret?—A. No; a message was first sent to Mr. Devine's; but Crossley being at Woolloomoolloo, I went down there.

Q. Who was present at the consultation?—A. Mr. Palmer, myself, and Crossley.

A consultation.

Q. In consequence of this consultation, it was determined to draw out an indictment against me, which indictment or information now stands as the first compt in the information before the Court, does it not?—A. To the best of my recollection it does.

Q. What was the cause that this first part of the information was laid by?—A. I do not recollect the cause, but it was so determined by the Governor.

Q. As you found it was not to be brought forward, had you not the curiosity to enquire why it was preserved?—A. No.

The first count in the indictment.

Q. At what time was it determined that this should be brought forward again?—A. At the time Oakes made a complaint.

Q. Were the warrants that were issued against me issued in consequence of any orders or directions from the Gov'r?—A. It does not come within my knowledge.

Q. When the information was received at Government House in what manner I had treated the first warrant, was there not a great deal of joy and exultation?—A. None, that I recollect.

The warrants for Macarthur's arrest.

Q. Did you feel no particular satisfaction?—A. No.

Q. Was the punishment that was to be inflicted upon me never talked of?—A. I think I recollect Crossley telling the Governor what the punishment would be if the charges were proved.

Q. Was it never suggested that it would be necessary to send me out of the colony?—A. I have frequently heard the Gov'r speak on that subject, but never say that it would be absolutely necessary, or that it would be done. I have heard, but from whom I do not recollect, that there was an idea that Mr. McA. would make his escape from the colony and not stand his trial.

Macarthur to be sent out of the colony.

Q. How long is it since you first heard the Gov'r talk of sending me out of the colony?—A. Prior to the issuing of the warrants and since.

Q. Was it not intended to favor me with a little fine and imprisonment before they sent me away?—A. It was intended, if you had been convicted before the Court, and that they had awarded a sentence of fine and imprisonment, that that sentence sh'd have been in execution, as I suppose.

Fine, imprisonment, and pillory.

Q. Did you never hear the pillory spoken of?—A. I have heard that you w'd be subject to that punishment. Crossley said it.

* That is the count having reference to the importation of two stills. It was alleged by Atkins that it was inserted by Bligh in opposition to his (Atkins's) opinion, and, apparently, against the advice of Crossley also.

1808

2 Feb.

A restless
character.

Q. Was it not also thought a little flogging would be beneficial?—A. I do not recollect any such thing.

Q. Do you know the principal cause of the Governor's dislike to me?—A. No, I do not; but I have heard the Gov'r say that it was extraordinary that a gent. of Mr. McA.'s property could not live quiet, and that he thought Mr. McA.'s general conduct very improper.

Q. How long ago is it since you heard the Gov'r say so?—A. Before the business of the stills.

Q. What proof of diesquietude had I shown before the business of the stills?—A. I do not know. I do not myself recollect any.

Q. I suppose had I submitted quietly to the unlawful seizure of my property and the illegal arrest of my person, I sh'd have passed with the Gov'r as a quiet, good sort of man?—A. I cannot say.

Large land-
holders.

Q. Did you never hear the Gov'r express a dislike to my possessing so large a property in the colony?—A. No; but the Gov'r in general terms had expressed his disapprobation of large tracts of land being given to individuals, as to Mr. McArthur, Blaxland, &c.

Q. When it was found that the officers who were appointed to sit on the Criminal Court on the 25th Jan'y would not allow Mr. Atkins to sit as judge of the Court, what did the Gov'r determine to do with me?—A. The Governor appeared undetermined what to do before Mr. Gore's deposition was taken, after which it was determined to keep him in jail until delivered of due course of law.

Q. When it was determined to charge the officers of the Criminal Court with treasonable practices, was it not also determined to charge me with the same?—A. Not to my knowledge.

Atkins's
memorial.

Q. Was the memorial charging the officers with treasonable practices drawn up by Crossley?—A. I believe it was, and copied by Mr. Atkins's clerk, and signed by Mr. Atkins, and sworn to at Government House, in the Governor's presence, before Messrs. Campbell, Palmer, Arndell, and Williamson.

Q. Was it not then determined, if the officers did not submit to the will of the Governor, that the Criminal Court sh'd be set aside altogether and the magistrates be invested with the Criminal Court's power?—A. No; but what I understood was, that what crimes could be taken cognizance of by the magistrates would be; but in criminal cases they were to lay over until the Governor heard from England.

A Colonial
Oliver
Cromwell.

Q. Have you never heard it said at Government House that I wanted to be the Oliver Cromwell of this country?—A. Yes, I have; but do not recollect when or whether the Gov'r was present, or who said it.

Q. You have stated in your evidence this day that you are in the confidence of the Governor; that you frequently gave your opinion to him: that you have heard me accused of being a troublesome man—of being desirous of becoming the Oliver Cromwell in this country;—now state what instances you know of troublesomeness, of criminal or bloody ambition, which I have ever been guilty of?—A. I cannot state any, nor know of any.

Macarthur's
alleged
factions-
ness.

Q. Do you know that I have ever attempted, directly or indirectly, by flattery, entertainments, or other sinister means, to form a party in this country against the late Gov'r?—A. I cannot say that I do know of any.

Q. Do you know of a single act of injustice that I have ever committed against any human being?—A. I cannot say that I do.

Mr. Robert Campbell, junior, sworn:—

[The evidence of this witness was merely a repetition of that given by him at the magisterial inquiry, ante, p. 332: it has, therefore, not been reprinted here.]

* That is the memorial of Richard Atkins, ante, p. 430.

Robert Campbell, Esquire, sworn :—

1808

The nineteen questions intended to have been asked Mr. Campbell by the late Judge-Advocate, the Court are of opinion should be asked in their original form.

2 Feb.

Q. 1. Did you or not, in the month of Oct. last, or at any other and what time, receive instructions from His Excellency the Gov'r to have two stills that had been brought into this colony in the ship or vessel the Dart put on board the ship or vessel the Duke of Portland, to be sent in that ship to England ; and if yea, please to state what these orders were, and what you did in respect of those orders ?—A. About the 10th Oct. the late Gov'r gave me verbal orders to go to the King's stores and see that two stills were lodged there, and, as I understood, were landed from the Dart, to be shipped on board the Duke of Portland. I think on or about the 12th of Oct. I wrote a letter to Mr. Blaxcell mentioning the circumstance ; about five or six days afterw'ds I received a letter* addressed to me as Naval Officer, the contents of which I communicated to the late Governor. He then told me that he could not comply with Mr. McA.'s request, for it was on the condition of the stills being sent to England by the first ship that he had allowed them to be landed, and enforced his former orders.

Macarthur's stills.

Ordered to be reshipped.

Q. 2. Was you or not present on the 24th Oct. last when the pris'n'r made a charge against Mr. R't Campbell, the younger, for taking the bodies of these stills out of his dwelling-house a few days before ; and if yea, did not the said R't Campbell, junr., act in that matter by your orders, and how many people might be assembled at that place on that occasion, as you believe ?—A. Mr. Robert Campbell, junr., acted by my orders in consequence of the orders I received from the late Gov'r. I was present at the Bench of Magistrates on 24th Oct. I believe there might be sixty or seventy persons present.

The proceedings of 24th October.

Sixty or seventy people present.

Q. 3. Did you hear the pris'r make an address or speech on that occasion ; and if yea, look upon the paper now produced and say if those are or are not the words, or the tenor and purport of the words, used by him on that occasion : declare ?†—A. To the best of my recollection, those were the words spoken by Mr. McA., or to that effect.

Q. 4. Do you or not believe and understand by the words and the manner which the pris'r used when he spoke those words, that that address was calculated by the pris'r to incite hatred and illwill to the Governor and Gov't of this territory in the minds of the people that were assembled on that occasion, or how else : declare ?—A. It is a matter of opinion, but I certainly considered the language inflammatory.

Macarthur's address : Was it intended to incite the people ?

Q. 5. Does it not appear to you by the words "It would, therefore, appear that a British subject, living in a British settlement in which the British laws are established by the Royal patent, had had his property wrested from him by a non-accredited individual, without any authority being produced or any other reason being assigned than that it was the Governor's orders," that the pris'r by such assertion meant to inflame the minds of the people to hatred and contempt of the Governor and Gov't, and to assert that the Governor's orders were contrary to the known laws of the land : declare ?—A. I have always conceived that the Governor of this territory could always give such orders as he thought proper, though repugnant to the known laws of the land, and I know it has been done ; but what were Mr. McA.'s motives in making that speech is impossible for me to say.

The Governor and the law.

Q. 6. Does it not appear to you by the words used by Mr. McA. in that speech : "It is, therefore, for you gent'm'n to determine whether this be the tenor on which Englishmen hold their property in New South Wales," that he meant to incite the bystanders and those entrusted with the executive power of the Gov't, by insinuating that the property of individuals was

* See the letter of 19th October, 1807, ante, p. 334.

† See Macarthur's "address," ante, p. 335.

1808

2 Feb.

unlawfully taken, &c., thereby libels the Gov'r and Gov't. or how else?—
A. I suppose that Mr. McA., when he made that speech, did conceive that it was unlawful to have his property sent out of this colony in the Duke of Portland. (Here read that part of the patent “our present and all our future Governors and Lieut.-Governors.”)*

The powers
of justices.

Q. 7. The Court knows that every justice of the peace has a right by law to order unlawful stills to be seized, and do you or do you not know it is so?—*A.* I have always understood that stills were prohibited in this colony, and that the justices had the power to seize them.

Q. 8. Is it not the custom in this colony for known persons to execute the orders of the Governor without any warrant in writing for that purpose; and did you ever know any question made of the legality of an order given verbally by the Governor of it being illegal because it was not in writing before this cause of the pris'r in Oct. last: declare?—*A.* I know of no instance; I have always rec'd my orders as Naval Officer verbally.

Verbal
orders.

Q. 9. Is it not the custom for the Governor to give his directions verbally in matters like that now inquired of or not?—*A.* Answered before.

Q. 10. In or about the month of Nov'r last, did or did not the vessel the Parramatta schooner arrive in this port; and, if so, was or not one John Glen the master, and the pris'r, John McArthur, Esq., the owner or part owner?—*A.* Yes; there was such a vessel, commanded by John Glen, and Mr. McA. was part owner.

Q. 11. Did or not that same vessel sail from this port on or about the month of June last?—*A.* Yes.

Q. 12. Upon that vessel's returning here, was or not a charge made against the masters and owners, or some of them, with having suffered one J—— H——, a prisoner under conviction in this colony, to escape in that vessel, and was not such accusation under some legal investigation after the return of the ship?—*A.* Yes.

Escape of
a convict in
the schooner
Parramatta.

Q. 13. Was or not one or more constables, by order, and whose order, in the month of November or December last, put on board that vessel; and, if so, was it not given in charge to such constables and other officers that they were placed there to prevent the cargo or any part of it being smuggled on shore, or landed, or put out of the ship without the usual permission?—*A.* Constables were sent on board by order of the police officer, and I understand for the sole purpose of preventing any part of the cargo being landed until permission was given.

Q. 14. Is it not usual and customary in this port to put any and what constables or other officers on board vessels to prevent smuggling, or having the cargo or any part of it landed without legal permission?—*A.* It is customary to send a military guard. This is the first instance where constables have been sent in charge, to my knowledge.

Q. 15. In a letter, purporting to be written by the prisoner to John Glen, in which letter the pris'r charges you with a refusal to enter the vessel the Parramatta schooner, and other matters, and in the same letter he desires Glen will give you a copy of that letter before a legal witness; did you receive from Mr. Glen any such copy?—*A.* I did.

Q. 16. Was not your reason for denying the schooner to be entered because J—— H——, a prisoner, had escaped in her from this colony, and the masters and owners had refused to give the security to pay the penalty of their bond if recovered by law?—*A.* I received orders from the Governor not to enter the schooner Parramatta; but wish to refer to my letter-book, which is now in the possession of His Honor the Lieut.-Governor.

Q. 17. That suit being now depending, and security given to abide the event of an appeal, has not the vessel since been entered and the papers

* See this provision in the Letters Patent for constituting the Courts of Justice, vol. i. part 2, pp. 75, 76. The gist of the clause is that justices of the peace shall have the same powers in the colony as similar officers had in England.

returned?—A. Yes, except the register, all papers being ordered to be kept in the possession of the Naval Officer until the vessels got their clearance, which is the custom, as I understood, in other ports.

1808

2 Feb.

Q. 18. Then the bond, being as well for the master and owners as the vessel and its cargo, were engaged to perform the condition when security was given that what was recovered by law if, in the event of the recovery of the suit the penalty of the bond should be affirmed, the papers were restored and the vessel entered in due course; was it so or not?—A. The necessary bonds were given as required, and the vessel was entered.

Q. 19. Is not that letter of which you had a copy, said to be written by the prisoner to Mr. Glen, the master of that vessel, and by him directed to be read to the ship's crew, in your belief, calculated to create dissatisfaction in the minds of those people with respect to the administration of justice in this colony?—A. I rather think the letter was written for the purpose of making the Naval Officer responsible for the damage the owners might receive by the detention of the schooner, rather than inflame the minds of the crew against the Government.

Q. *from the Court.* Do you know by whom the above questions were framed?—A. I saw them in the handwriting of Crossley. He brought them to my house, for the purpose of shewing them to me, on the 18th ulto.

The Prisoner's cross-examination of this evidence :—

Q. It seems the questions you have answered were shewn to you some time ago, in the handwriting of the well-known perjured and pilloried attorney, Geo. Crossley;—have you ever, to him or to any other person, recited the answers, or the purport of the answers, you intended to give to those questions?—A. I never recollect having done so to any person.

Q. Do you consider it consistent with the honor of a magistrate, and the integrity of a British merchant, to receive an information from such a character, relative to a prosecution on which you knew you were to be called as an evidence?

Mr. Campbell declines answering the question. The Court cleared.

The Court are of opinion that he is not obliged to pronounce a judgment to his own actions.

Q. In your answer to the 1st question, you have stated that you rec'd a letter from me in answer to one of yours respecting two stills; that letter I wish to be produced (*letter produced and read**);—did you answer that letter?—A. I did not.

Q. Is it not usual when letters are written to official persons, and when the letter expressly requires an answer, that either a written or verbal one sh'd be given?—A. Certainly it is customary; but I was ordered by the late Governor not to answer that letter.

Q. Did the Governor assign his reasons for not allowing you to answer that letter?—A. The Governor said those stills were allowed to be landed from the Dart on the express condition of their being sent to England in the first ship, and that no request of keeping any part of them could be complied with, and enforced his former orders.

Q. Did you communicate this determination of the late Governor to me; but did you not, without any explanation, send your nephew to my house to bring the bodies of the stills away?—A. No; I did not communicate the Gov's determination, and sent to order the bodies of the stills away.

Q. When you sent your nephew to the King's stores did he not find the heads and worms of those stills in the King's stores?—A. Yes.

Q. When I required a receipt for the two bodies which were in my possession, why did you insist upon my taking the following receipt, which

George Crossley.

A personal question.

Macarthur writes to Campbell.

Bligh forbids him to answer.

The stills ordered to be removed.

* Ante, p. 334.

1808

2 Feb.

expresses two bodies, heads, and worms complete ; and why did you refuse to give me a receipt for the bodies I declared myself ready to give up? *Receipt produced and read, as follows:—*

“ Naval Office, Sydney, 22nd October, 1807.

Campbell's receipt.

“ RECEIVED from Mr. G. Blaxcell, agent for the ship Dart, two stills, with heads and worms, which were entered by that ship on the 9th March last, addressed for Capt. McArthur and Capt. Abbott, and allowed to be landed on the express condition of being sent to England by the first ship, and which stills are now to be shipped on board the Duke of Portland, by order of His Excellency the Governor.

“ ROB'T CAMPBELL, Nav. Officer.”

The form of receipt.

A. As the orders given by the late Gov'r to me were to ship the stills complete, I did not conceive it necessary to give but one receipt.

Q. You have admitted that you rec'd the heads and worms from the King's stores ; it is also admitted that I had no part but the bodies in my possession ; would you, if you was to receive an anchor from a blacksmith and a cable from a rope-maker, refuse to give a receipt to each person because the cable and anchor are appendages to each other?—A. I would not.

Q. Upon what principle, then, did you insist upon my taking a receipt by which it would have appeared that I had two unlawful implements in my possession, and which effect there can be no doubt that receipt was intended to effect to my prejudice in the minds of His Majesty's Ministers?—A. I declare I had no other motive than conceiving them to be one property.

Q. On the oath you have taken, did you not know that the late Gov'r intended to make a representation to His Majesty's Ministers respecting those stills?—A. I never knew it, from my own knowledge, but suppose all goods ordered away from the colony by the Gov'r must be accompanied by a certificate.

Macarthur's speech to the magistrates.

Q. You have declared that you considered the words I used before the Bench of Magistrates, before whom I complained of the seizure of those coppers, was inflammatory ; declare what words I used on that occasion you consider so ? (*Speech produced.*)—A. The general tenor from “ in which the British laws, &c.”

Q. You have acted as a magistrate in this colony, and do you not know that your oath as a magistrate required you to protect every man in the quiet possession of his property?—A. I have always acted to the best of my judgment and agreeable to the oath that I have taken.

Campbell's magisterial actions.

Q. Have you never in your magisterial capacity been governed by the opinions of Geo. Crossley and the orders of the late Gov'r, in opposition to what your oath and y'r conscience pointed out to you to be the right?—A. I cannot answer this question, it having a tendency to criminate myself.

Court adjourned till half-past eight o'clock to-morrow (5th February).

The Court met pursuant to adjournment.

Robert Campbell, Esq., sworn :—

Campbell makes a statement.

[The prisoner being desirous not to proceed further in the examination of this evidence, but to submit to his own consideration the propriety of detailing to the Court all he knows of the events which has caused this trial]. Mr. Campbell details all the circumstances, as follows :—I was sent for by note from the Gov'r, as Naval Officer, to bring certain documents respecting the stills and the Parramatta schooner, which I believe was for the purpose of framing an indictment against Mr. McArthur. I was present when the indictment was brought to Mr. Griffin and read by him to the Gov'r. No comments were made by either party, and I do not know why

the indictment was not acted upon, nor do I recollect if ever the subject was agitated in the presence of the Gov'r by Geo. Crossley ; but I know the indictment was framed by Crossley, when the Gov'r rec'd a letter from Mr. McA. respecting Mr. Atkins. Mr. Atkins was sent for, and he related to the Gov'r the whole of the quarrel that had taken place respecting a bill of Mr. Bond's between himself and Mr. McA.* I have been present within these few days with other gent'm when Geo. Crossley was consulted by the Gov'r respecting the Criminal Court and the officers then sitting. Mr. Atkins at that time related to the Gov'r what had passed in the Court, which the Gov'r minuted down himself, and Crossley impressed on the Gov'r's mind that it could not be a Court without the Judge-Advocate, in which opinion Mr. Atkins strongly concurred, and that the Judge-Advocate could not be displaced. It was, by the advice of Crossley, determined patiently to let the Court proceed and see how they would act. Crossley was the principal adviser to the Gov'r. It was determined also to send and demand the papers left in the Court by the Judge-Advocate. I heard a memorial† from the Judge-Ad., accusing the six officers of the Criminal Court of treasonable practices, read to the Gov'r in the presence of all the magistrates. The Gov'r then quitted the room with Crossley, and returned with a written paper, and on its being read, Crossley recommended the Gov'r to summon by the Provost-Marshal all the officers composing the Court before him and the magistrates immediately ; but I proposed milder measures, by the Gov'r sending to desire their attendance on himself only. Crossley wrote an order in pencil, and it was altered by Mr. Griffin to the shape it was sent in.‡ It was proposed, sh'd the officers attend, that the memorial from the Judge-Ad. should be read to them and certain questions put to them, but what they were I do not know ; but I understood, if they did not comply with the Gov'r's requisitions, that the Commanding Officer was to be directed to put them under military arrest, and that the magistrates, with the Gov'r, were to be assembled to investigate the accusation made against the officers of the Court by the Judge-Ad., and if proved that they had acted treasonably, they were to be committed to jail ; or should they be committed on suspicion of treason only, that the offence was bailable. On the receipt of the letter from the Court to the Gov'r accusing Mr. Gore, the P.-M., of direct and wilful perjury, it was the general opinion of the gentlemen at Gov't House that no answer be given, Mr. Atkins and Crossley being then away preparing an accusation against the officers. The Gov'r must have heard from report the crime for which Crossley was sent to this country.

1808

2 Feb.

Meeting at
Government
House.Atkins
reports to
Bligh.Officers
comprising
Court to be
examined.

John Palmer, Esquire :—

Fourteen questions asked by the Court, which were prepared in the handwriting of Edw'd Griffin, Esq., secretary to the Gov'r.

Commissary
Palmer's
evidence.

Q. 1. You have been many years an officer in this territory ; is it not customary for the Gov'r to give his directions by verbal orders, and has not that been the general custom in the time of every Governor of this colony, as you know or believe?—A. I have in general had written orders—sometimes verbal ones.

Q. 2. You was present on the 24th October last, when a charge was exhibited by Jno. McArthur, Esq., against Mr. R't Campbell, jun'r, by which Mr. McA. alledged that Mr. Campbell had taken out of his dwelling-house unlawfully two copper boilers, value £40 ;—was it or not so?—A. I was present.

The trial
of 24th
October.

Q. 3. This charge being made against Mr. Campbell as for a crime had caused a great many people to assemble ;—how many people, in your opinion, were then present and assembled?—A. From sixty to one hundred persons.

Q. 4. You, being one of the justices met on that occasion, was of opinion there was no foundation for the charge, was you or not?—A. I was.

* See vol. iii, p. 123, and p. 395, ante.

† Ante, p. 430.

‡ See the circular letter of 26th January, ante, p. 433.

1808

2 Feb.

Macarthur's
address to
the
magistrates:

Q. 5. Upon that occasion Mr. McA. made a speech, which was taken down at his request by the Judge-Ad. ; did he or not, and if yea, as you heard those words, look upon the paper writing now produced,* and say if the same be not a copy of the same words, as taken down by the J.-A., and the identical words used by the pris'r on that occasion, and before the people then and there assembled : declare ?—A. The paper produced, it is the same as taken at the time.

Q. 6. Then you heard the pris'r rehearse those or the like words in the hearing of the people, and saw the Judge-Ad. write them, as he then produced and spoke them,—did you or not ?—A. Yes.

Was it
intended to
incite the
populace ?

Q. 7. By the way which Mr. McA. pronounced the words and the words of themselves, did you or not understand the pris'r meant to incite the people to hatred and contempt of the Gov't and constitution and the Gov'r of this territory ?—A. I conceived that the words and the manner in which they were delivered had a tendency to do so.

Q. 8. Is not Mr. Rob't Campbell, jun'r, a person well known in this colony as a person in the confidential employ of Rob't Campbell, Esq., a justice of peace and Naval Officer ; and in your opinion did not Mr. McA. well know him previous to the 22nd October last ?—A. I suppose so.

Macarthur's
object in
charging
Campbell.

Q. 9. Do you not believe that the pris'r made that charge against Mr. Rob't Campbell, jun'r, with design to collect a great number of people that he might make in their hearing such sort of representation of and concerning the Gov'r and Gov't as he did, and to incite the people to contempt of the Gov't, or how else ?—A. I cannot say what Mr. McA's intentions might have been.

A discon-
tented
person.

Q. 10. Has not the pris'r always been a discontented person, as you have understood, in the time of every Gov'r that has been here, or how else ?—A. I do conceive that Mr. McA. has been a discontented person under every Government in this colony.

Q. 11. Do you know the handwriting of the pris'r ; and if yea, look upon the paper writing now produced,† and say if the same be or not the proper handwriting of the pris'r, as you know or believe ?—A. I believe it to be his handwriting.

The warrant
for
Macarthur's
arrest.

Q. 12. Do you know the handwriting of Rich'd Atkins, Esq., Judge-Ad. ; and if yea, look upon the paper writing, now produced :‡ is not that a warrant under his hand and seal, or how else, as you know or believe ?—A. It is a warrant under his hand and seal.

Q. 13. Is not Mr. Fra's Oakes, to whom that warrant is directed, chief constable at Parramatta ?—A. He was at that time.

Q. 14. Look upon the paper writing now produced and shewn :§ say if that is or not the handwriting of the pris'r, as you know or believe ?—A. I believe it is.

Crossley
frames the
questions.

Q. from the Court. Was you not furnished with a copy of the questions now asked you on the part of the Crown by Geo. Crossley ?—A. I think I was ; I thought little of them and destroyed them.

Q. Did you not apply personally to Crossley to give you a copy ?—A. I cannot take upon myself to say if I did or not.

The Prisoner's cross-examination of this evidence :—

Palmer's
evidence.

Q. Have you ever recited to the Gov'r, to Geo. Crossley, or any other person the answers you intended to give to the questions, of which you rec'd a copy from Geo. Crossley, and to which questions you have now answered ?—A. To the Gov'r, no ; to Geo. Crossley I had some conversation about them ; but to no other person, because I conceived when I came on my oath I might think very differently.

* See the "address" of Macarthur, ante, p. 335.

† The paper referred to was Macarthur's letter to Atkins, dated 14th December, 1807, ante, p. 406.

‡ The warrant of 15th December, 1807, ante, p. 474.

§ See Macarthur's written refusal to surrender himself to Oakes, 15th December, 1807, ante, p. 475.

Q. Are the answers you have now given the same as you would have given had the late Governor retained his authority?—A. Yes.

1808

Q. You have given it as your opinion that Mr. Rob't Campbell, junr., did nothing illegal in taking the copper bodies of two stills from my house without a written authority*—did you form that opinion from evidence when you sat on the Bench, or did you not declare the same opinion before you heard a single evidence in support of my complaint?—A. I declared it from the evidence I heard on the Bench, and never thought of it before, that I recollect.

2 Feb.

The case of
Macarthur
v. Campbell.

Q. You have said that a large assembly of people was collected together at the Court-house when I made my complaint;—do you know that those people were collected by my contrivance, or at my desire?—A. I do not know anything about it.

Q. Do you not think that they were rather collected by an anxious desire to hear whether the magistrates would support the late Gov'r in ordering the private property of individuals to be wrested from them?—I never gave it a thought at all.

The public
interested.

Q. You have said that you understood by the words I uttered before the Bench of Magistrates, and by my manner and looks, that you think I intended to inflame the minds of the people against the late Gov'r?—A. I think the words and manner had that tendency; the speech produced, I think the whole of it, had that tendency.

Q. Can you point out no particular expression in that speech which appears to you to have that tendency?—A. No, but the whole.

An inflam-
matory
speech.

Q. Was that part inflammatory in which I say that two coppers—or bodies of stills—were taken out of my house on the 22nd inst. without my consent?—A. I have before answered that the whole, in my opinion, was inflammatory.

Q. Were you not sitting as a magistrate in the discharge of your magisterial duty when I uttered what you conceived to be inflammatory speech;—did you, or did you not, take any steps to punish me for the demonstration of such seditious intentions?—A. I was sitting as a magistrate. There was no steps taken by me for the punishment of Mr. McA.

A magis-
trate's duty.

Q. Do you not know that your oath as a magistrate required you to leave nothing undone in your power to bring any man to justice who sh'd endeavour to excite the people to a breach of the peace, either by inflammatory speeches or otherwise?—A. Yes.

Q. How then do you excuse such a manifest breach of your duty, to which you were bound by your oath?—A. I merely gave it as a matter of opinion. Had I been certain Mr. McA. had those intentions I should have given it my opinion that he should be committed.

Q. You have sworn that you considered me to have been always a discontented character under every Gov'r;—was I discontented under the government of Gov'r Phillip?—A. I thought so.

Macarthur
under
Phillip.

Q. State one particular instance of discontent which you know?—A. Mr. McA. was discontented at Gov'r Phillip not allowing him to keep a cask or two of spirits, which Gov'r Phillip had ordered me to put into the store.

Q. Do you not know that the cask or two of spirits to which you allude was the property of the present L't-Gov., and purchased from the Royal Admiral for the supply of the regiment, by order of Major Grose?—A. No, I do not. It is so long ago I cannot speak to it.

A cask or
two of
spirits.

Q. When you came to me with a message from Gov'r Phillip, desiring that this cask of spirits might be given up, did I not tell you that I had nothing to do with it; that it was lodged in the regimental store, of which I had the charge; but that I would accompany you to Gov't House and explain the circumstance?—A. It is so long ago that I cannot recollect.

* Palmer was one of the magistrates before whom Macarthur's charge against Campbell, jun'r, was heard—ante, p. 332.

1808

2 Feb.

Phillip in a
passion.

Q. Did you not accompany me to Gov't House ; and when we were introduced to the presence of Gov'r Phillip did he not, in a violent passion, refuse to hear a word, and declare that he would instantly put me into arrest?

—A. I do not recollect ; perhaps I might.

Q. Did I not reply : " Sir, you may please yourself. You are the first officer that ever threatened me with an arrest ; and I give you my word of honor, if I am put in arrest, I shall require a full and sufficient explanation of the cause before I consent to sit quietly down under such a disgrace " ?

—A. I do not recollect being present at such a conversation.

Q. Did I not immediately retire, and having given you the key of the regimental store, did you not cause a legar of brandy to be rolled from thence and put into the public store ?—A. I do not recollect it.

A cask of
spirits.

Q. Was not that cask of spirits given up the day after to Major Johnston, the proprietor of it, by order of Governor Phillip ?—A. It might ; I cannot say.

Q. Do you not know that from the violent language used to me that night by Gov'r Phillip, I ever after refused to sit at his table ?—A. I have already said I do not recollect being present at any conversation with Mr. McA. and Gov'r Phillip.

Macarthur
under
Grose and
Paterson

Q. Was I discontented under Major Grose, who succeeded Gov'r Phillip in the command ?—A. I did not suppose an officer would be discontented with the commander of the regiment, and did not mean to include Major Grose or L't-Col. Paterson amongst the Governors.

Q. Was I discontented under Gov'r Hunter ?—A. I have always understood so.

and under
Hunter.

Q. Do you know of any personal altercation or difference which took place between myself and Gov'r Hunter ?—A. No ; I do not recollect particularly.

Q. Do you not know that I had the management of the greater part of the public concerns, and was entirely in his confidence, until, in an unfortunate moment, I unwisely advised him to be cautious of the expenditure of public money, and not to suffer thousands of bushels of grains to be bought and put into the public stores to rot and perish ?—A. No, I know nothing of it.

Dispute with
Hunter.

Q. Do you not know that I did give him some advice relative to the expenditure of public money, and that from that moment he became so estranged from me, and acted in all points so contrary to my advice, that I found it incumbent on me to resign all further interference in the public affairs, assigning as a reason, by letter, that a due regard to my honor and character obliged me to do so ?—A. No.

Q. Was I discontented under Gov'r King ;—can you state any particular instance ?—A. You was discontented under Gov'r King, or you would not have been sent out of the colony in the manner you was.

Dispute with
King.

Q. Did not the difference which existed between me and Gov'r King originate in his attempting to screen a man from the punishment a Criminal Court had sentenced him to for assaulting Capt. Abbott, and threatening to assault me because we took the necessary steps to recover from his hands the plundered effects of a deceased brother officer* ?—A. I cannot say what it originated in. I was not in the confidence of Gov'r King.

Q. Was not our differences further increased by his putting me into an ignominious arrest for meeting a person who had challenged me, and by his refusing to bring me before a Court-Martial to justify my conduct, and by his sending me a prisoner to England, and taking every means in his power to deprive me of an opportunity of proving how greatly I had been calumniated, injured, and oppressed ?—A. Yes, I supposed they might.

* See the case of Lieutenant Marshall in vol. iv of these "Records."

Q. Have you never, sir, been discontented with Gov'r King? [Mr. Palmer refused to answer the above question. The Court cleared on the propriety of it. Are of opinion that he must answer it in the affirmative or negative, unless he states it will criminate himself.]—A. Yes.

1803

2 Feb.

Q. Has Gov'r King never called you a traitor?—A. Yes, in a state of frenzy. Palmer and King.

Q. Have I been discontented under the late Gov'r Bligh?—A. Yes, I think so.

Q. Can you state any particular instance of my discontent?—A. It is my opinion.

Q. Can you say whether any personal difference or altercation has ever taken place between myself and Gov'r Bligh?—A. Not that I know of. Macarthur under Bligh.

Q. As you have been in habits of strict intimacy with the late Governor, and have been generally understood to be one of the principal advisers of his measures, is it not likely, if any such altercation should have taken place, that he would have informed you?—A. I cannot say.

Q. Do you not know that the late Gov'r and his family were in the habits of social intimacy with me and mine for many months after his arrival here?—A. I have known part of the family to visit. Social intimacy.

Q. Does it not come within your knowledge that the late Gov'r, his daughter, and his late son-in-law were frequently entertained at my house?—A. I have heard so, but never saw them.

Q. Have you never heard the late Gov'r express a great dislike to me?—A. I never heard the late Gov'r express a dislike to any person whatever that I recollect.

Q. Have you not been in the late Gov'r's confidence?—A. I believe I was. Bligh's attitude towards Macarthur.

Q. Have you never heard the late Gov'r declare his intention to send me out of this country?—A. Never in my life that I recollect, and believe it very foreign to his thoughts.

Q. Are you not acquainted that I have never visited at Gov't House since the late Gov'r decided against me in a cause of appeal without allowing me to offer a word in support of my plea?—A. I know nothing about it.

Q. Have you never heard it talked of in the Gov'r's presence how or in what manner my commercial and agricultural pursuits might be interrupted?—A. No, never to my knowledge.

Q. Then you have never heard him speak with disapprobation of me?—A. In a small degree I may, but not seriously.

Q. Have you never been directed by the late Gov'r to do anything injurious to me?—A. Never.

Q. Were you not directed by the late Gov'r to sit as a magistrate in conjunction with Mr. Arndell and examine Geo. Crossley on oath relative to any matters he chose to accuse me of?—A. No. Crossley examined.

Q. Did you not examine Geo. Crossley on oath respecting certain seditious expressions, and did you not allow him to swear that he had heard two other persons—namely, Messrs. Hobby and Pitt—declare that I had uttered seditious expressions?—A. All I recollect of the business is that Geo. Crossley was put on his oath respecting what he (Crossley) said that Mr. Pitt had said. The papers are forthcoming, and I have not thought of the business since till lately.

Q. Did you not know that the law admits of no hearsay evidence, and that it rejects with horror all those who have been proved to be perjured?—A. Yes.

Q. Did you examine Mr. Hobby?—A. Yes.

Q. Did he contradict Crossley's testimony?—A. I cannot recollect, I thought it a matter of so little moment. Contradictory evidence.

Q. Did you examine Mr. Pitt?—A. Yes; a few questions were asked him, which was the reason that Crossley was put on his oath.

1888

2 Feb

Q. Did not Mr. Pitt contradict the charges of Crossley's presence with Crossley a prisoner in the House?—A. He did not. He was not there at all. When Pitt was asked to go to the House he did not go.

Q. It is in it appear in print: I think it is a mistake that Crossley was completely contradicted by Mr. Ewing. Was it not Crossley who was prepared to give a reason why you did not punish Crossley for perjury, and for having formed a criminal conspiracy?—A. I did not consider it a matter of my business. He put it into my pocket, as I was going to Sydney the next day, and in the meantime.

Q. From the Court. Did you not relate every circumstance of what took place at the Hawkesbury between Crossley and Pitt; and if you did relate them in the Court, was the Court—A. I did not, nor did the Court give any opinion.

The correctness of this story on the part of the Court is here cleared.

Questions from the Prisoner to this story is supposed to be the

Prisoner's
cross-examination.

This was
on 24th
October.

Marshall's
speech.

Palmer
refused to
consult
himself.

A conference
with
Crossley.

Crossley's
opinion.

Q. You have been many years in the practice of making the Bench?—A. On my own private affairs chiefly.

Q. Were you not a member of a Bench of Magistrates on 24th October, and did I not bring before that Bench a summons Mr. Robert Campbell, junr, for unlawfully taking two copper and I valued at £40 at 2g, from my house?—A. Yes.

Q. Did not the majority of that Bench decide that the said copper was not authorized?—A. Yes.

Q. I have been accused of making a scurrilous and infamous speech before that Bench;—did you as a magistrate sitting on it propose he either committed or in any other way punished for the words that occasion?—A. No, I did not.

Q. When the Bench broke up, did you go to Gov't House?—A. I did.

Q. Did you make any representation to the Gov'r of what you said before that Bench?—A. I do not recollect I did.

Q. Were you present when the Judge-Adv'ce took the matter to the Gov'r?—A. I cannot take upon myself to say; I cannot say it might have been.

Q. Were you present at the Gov'm't House that day when Advocate was very violently abused and found fault with for what he had given on the Bench?—A. Not that I remember.

Q. Do you not remember that you did find great fault with Advocate for his opinion?—A. No, I do not indeed; I have myself equal to do it.

Q. Did you never consult with any person how and in what manner you could be punished for the words I had uttered to the Bench?—A. To my recollection.

Q. Was not George Crossley sent for to your house the following 25th October, to meet you and the late Gov'r's secretary; and did he come there, and was he not asked to give his opinion how or in what manner I could be punished?—A. I do not know if Crossley was sent for. Crossley was not asked any questions in my presence. I went out of the room and left him with Mr. Griffin.

Q. Were you not inf'd by Mr. Griffin of the business on which you were sent for?—A. I can't recollect what the business was.

Q. Do you not know that Geo. Crossley gave it as his opinion at your house that the words I had uttered before the Bench of B

the preceeding day were indictable, and might be punished by fine and imprisonment?—A. He might have said so, for he talked a great deal ; but I do not recollect it. 1808
2 Feb.

Q. What was the cause of Crossley being sent for to your house?—A. I do not recollect his being sent for.

Q. Did you not meet Mr. Griffin that morning between yours and the Government House, and did he not tell you he wanted Crossley ; did you not reply, “ I will soon bring him or send for him ” ; and did you not soon after return to y'r own house and Crossley quickly follow?—A. I met Mr. Griffin, and soon after ret'd to my own house and saw Mr. Crossley there. Whether he came before me or after I cannot say ; I do not recollect. Mr. Griffin said he wanted Crossley. I do not remember the conversation about Crossley. Mr. Griffin might have asked me about Crossley, but cannot charge my memory. Palmer's defective memory.

Q. Do you not know that Crossley drew up an indictm't which forms the first compt which I read on opening your ev'ce?—A. I have heard so ; I never saw it or heard it read until in Court, to the best of my recollection.

Q. Who did you hear it from?—A. I cannot say who. I heard Crossley say he had been busy with Mr. Atkins about an indictment. Crossley and Atkins in consultation.

Q. Did the late Gov'r never consult you whether it would be advisable then to prosecute me for what I had said at the Bench of Magistrates, or whether it would be more prudent to reserve it as a rod in pickle?—A. No, he never did.

Q. Did you go to Gov't House on the morning of the 16th December, the day on which you attended a Bench of Magistrates to hear the accusation of the constable Oakes against me?—I go there every morning. Palmer and Bligh.

Q. Did the Gov'r inform you that morning what Oakes had accused me of, or did he consult you in what manner I sh'd be proceeded against?—A. I think the Gov'r told me what Oakes had said ; but did not consult me what was to be done.

Q. When you attended the Bench of Magistrates that day to assist in examining Oakes, did you think, from the ev'ce he gave, that I deserved to be apprehended?—A. I did.

Q. If you thought I deserved to be apprehended, why did you refuse to join the Judge-Advocate in signing that warrant which was issued from the Bench, and only signed by the Judge-Advocate?—A. Because it was the Judge-Advocate's opinion that it was all that was necess'y, and the opinion of the whole. Palmer's opinion re the arrest of MacArthur.

Q. You attended the Bench on the 17th December, the day on which I was brought a prisoner before it?—A. Yes, I believe so.

Q. Did you go to the Gov't House in the morning before you attended the Bench?—A. I might or might not ; cannot recollect.

Q. Did you not determine, with y'r brother-in-law, Mr. Campbell, another member of that Bench, that it w'd be prudent not to bring me to any trial, but to fine and imprison me by the authority of the Bench ; and were you not satisfied that the J.-A. w'd be afraid to oppose y'r opinions, and, therefore, to jail I must go?—A. No ; nor had I any conversation with my brother-in-law about Mr. McArthur. Robert Campbell.

Q. Did I not object to Mr. Campbell sitting on that Bench, assigning as a reason that he was an interested person ; and did you not strenuously contend that he should sit?—A. Mr. McArthur did object to Mr. Campbell, and I thought Mr. Campbell ought to sit ; but do not recollect being strenuous about it.

Q. On the oath you have taken, can you say that you came into the Court-house with an honest, impartial, and unprejudiced mind?—A. Yes, I can.

Q. Can you swear that you were actuated neither by rancour, animosity, or a preconceived plan, to disgrace me in the eyes of the world, and to ruin Palmer's impartiality.

1808

2 Feb.

and distress a numerous, innocent, and inoffending family?—A. Yes, I do from my heart; and I say further that I have felt very sorry for Mr. McArthur's family.

Q. Have you never been present at Gov't House when Geo. Crossley was there?—A. Yes, I have.

Q. Have you never been present with the late Gov'r when he has consulted him?—A. No, I do not recollect any particular consultation; I have heard the Gov'r ask his opinion on points of law.

Q. Did you never recommend Crossley to the Gov'r as a good sort of man?—A. I have said that he is not so bad as he is pointed out. I never knew him to deceive me in anything I had to do with him in his opinion.

Q. Were you present at Gov't House the greater part of the 25th and 26th January?—A. Yes, I was.

A frequent visitor at Government House.

Q. Were you consulted those days by the Gov'r how it w'd be proper to proceed with me and the Criminal Court then assembled?—A. I do not recollect any particular consultation that day. I was backward and forward in the office.

Q. Did you not consult honest Geo. Crossley these two days?—A. No, I did not.

Q. Did you not go down to Mr. Devine's house to hurry him in drawing up the memorial and other papers w'h he was preparing for the Judge-Advocate to sign?—A. No, I did not.

Court adjourned till 9 o'clock to-morrow morning.

6th Feb'y, Court met pursuant to adjournment.

John Glen sworn :—

The eighteen questions intended to have been asked by the late Judge-Advocate, it is the opinion of the Court shall be asked in their original order.

Captain Glen's evidence.

Q. 1. Was you or not master of the Parramatta schooner?—A. I was.

Q. 2. Is not John McArthur, Esq., a part owner of that vessel?—A. He is.

Q. 3. After you sailed from this port, in or about June last, or at any other time when you got to sea, was or not one J—— H——, a prisoner who had escaped from this territory, found on board or not?—A. He was.

A slowaway.

Q. 4. That J—— H—— afterwards got away from your ship—did he or not?—A. Yes.

Q. 5. On your return to this colony in Nov'r last, some investigation into that matter of the escape of J—— H—— was made the subject of inquiry,—was it or not?—A. Yes at Gov't House. I was examined on oath before the late Governor, the Judge-Advocate, and Naval Officer respecting the voyage in general and J—— H—— being on board.

Q. 6. And upon that the Court of Civil Jurisdiction gave a verdict against you; but there is an appeal depending, is there not?—A. Yes there was, and an appeal is now pending.

The schooner. Parramatta.

Q. 7. Did you receive any letter from the prisoner, dated the 7th Dec'r last; and if yea, is the following paper a copy of it?—A. It is a copy of it.

Q. 8. Did you not communicate the contents of this letter to the mates and crew of the vessel Parramatta?—A. I did.

Q. 9. Did you make the application to Robert Campbell, Esq., Naval Officer, as directed by that letter?—A. I did.

Her crew.

Q. 10. Upon your communicating the contents of this letter to the ship's crew, did they or not consider themselves much hurt, in a distant port from England, to be left without support?—A. They did.

Q. 11. Did not you and all or some of the ship's company, in consequence, come on shore; and if yea, was not you on that occasion before the Judge-Advocate?—A. Yes.

* See letter, Macarthur to Glen, 7th December, 1807, ante, p. 408.

Q. 12. Was you not told by that officer that by the crew coming on shore you had violated the Colonial Regulations?—A. I was.

1808

Q. 13. Did not you and them make oath of the occasion being because of that letter, and did you or not shew the same letter and give the copy as an excuse for such your conduct, or how else?—A. I did.

2 Feb.

Cause of the vessel being abandoned.

Q. 14. In consequence of what you or the crew said, is it within y'r know'ge that the J.-A. wrote to the prisoner and required him to attend and show cause for his conduct, or have you heard it from the prisoner?—A. I heard it from the Judge that he had wrote to Mr. McArthur.

Q. 15. Look upon the paper now produced* and shown to you;—is it the handwriting of the prisoner; and say if the two police officers mentioned to be on board were placed there for any other purpose but to prevent anything going out of the vessel without a legal permit, or how else?—A. I believe it to be the handwriting of Mr. McArthur; and I understood that the police officers were put on board the schooner to prevent anything being landed from her, and to prevent any intercourse with the shore, or any illegal proceedings. The day following my exam'n at Gov't House I received permission from the Gov'r to come on shore.

Police officers placed on board.

Q. 16. As you are a seafaring man, did you ever know of one of the owners in a distant country making an attempt to discharge the master, mates, and crew from an English vessel; and do you think such conduct is consistent with justice or not?—A. I did not consider myself discharged. I waited on the Naval Officer to deliver the copy of the letter, as I was directed by my owner. The Naval Officer said he acknowledged the receipt of the letter, but had no answer to give. I waited on Mr. McA. after leaving the Naval Officer, who desired me to wait upon the Governor to show him the letter and see if he would give me redress. I did go to Gov't House. I met His Excellency at the back door, and delivered the letter to him that I received from my owner, Jno. McA., Esq're. The Governor asked me who I was. I told him my name, on which he gave me the letter back without opening it, and told me, for a scoundrel to be gone; that he knew nothing about me or my owners either—saying, clenching his fist and stamping with his foot, "Damn you, sir, I will teach you to take away prisoners from this colony, you scoundrel"; he said, "If ever I catch you on my premises again"—then stopped and ordered me to be gone.

Bligh and the captain.

Q. 17. Do you not consider Mr. McA. answerable for the damages you may have sustained by reason of such conduct, if neither you nor the ship's company had acted in such way to the owners as to make such conduct necessary?—A. There was no damage sustained by me or the ship's company.

Q. 18. Was you and all the ship's crew discharged from this vessel?—A. No.

The Prisoner's cross-examination of this evidence:—

Q. When you arrived, did you not come to anchor at the head of the Cove in a place of safety?—A. Yes, I did.

Q. Did not some person shortly after come off, and after having taken possession of the vessel, did they not cause her anchor to be weighed, and remove the schooner into a dangerous situation close to the Naval Officer's door?—A. The Gov'r's coxswain ordered the pilot to weigh the anchor again, and remove the schooner opposite the Naval Officer's stores, outside the Porpoise.

The Naval Officer takes possession of the vessel.

Q. Did you not lay in that situation several days in great danger, and were you not once nearly on shore?—A. She was in a state of danger, and I had informed the Naval Officer that she had not anchors sufficient to hold her in the situation she had been moved to. She was near going on shore.

* See the letter from Macarthur to Atkins, dated 14th December, 1807, and printed on p. 466, ante.

1808

2 Feb.

The Naval
Officer takes
possession
of ship's
papers.

Q. You have said that two police officers were put in charge of the vessel soon after your arrival; state whether you was not obliged also to give up all your ship's papers, comprising your registers, your licenses, port clearances, and, in short, every paper that could either show yours or your owner's title to the vessel?—A. Yes.

Q. Did you not after that frequently apply to the Naval Officer to enter the vessel, and did he not always refuse?—A. I did, and was always refused.

Q. Did you not, after being refused entry, repeatedly apply that your papers might be returned, and were they not refused?—A. Yes.

Macarthur
refuses
further
responsi-
bility.

Q. When you informed me of this, did I not tell you that as the vessel was refused entry, and thereby prevented landing her cargo, that as your papers were refused and the vessel consequently prevented sailing to another port, and as the Naval Officer had two police officers on board of her, I considered myself as completely dispossessed—that you must therefore apply to the Naval Officer for directions what you was to do with yourself, officers, and crew?—A. Yes.

Q. Did I not, in consequence of that, give you the letter,* and desire you to leave a copy with the Naval Officer?—A. You did.

Q. Had you not plenty of provisions on board—both bread and meat?—A. Yes.

The vessel
well pro-
visioned.

Q. The reason why you did not use those provisions was because, as the vessel's stores and cargo were given up to the Naval Officer, you thought it necessary to have his instructions before you used any more of them. When the mates and some of the seamen of the Parramatta went to state their situation to the Naval Officer, and required his instructions, did he not threaten to kick them from his door?—A. I did not think it proper to use any provisions until I knew whose directions I was to be under; and I was told the Naval Officer had threatened to kick the mates and seamen when they went to require his directions.

Q. Have you, your officers, or any part of your crew, ever been confined, tried, or punished for breaking the Colonial Regulations, altho' I am here a prisoner at the bar, charged with having caused you so to do?—A. No.

Francis Oakes, sworn:—

Evidence of
Constable
Oakes.

He seeks
Abbott's
advice.

A glass of
grog in the
parlour.

Says on the 15th day Dec'r last I rec'd a warrant from the Judge-Advocate, R'd Atkins, Esq., wherein I was directed to bring to Sydney, on the 16th, John McArthur, Esq., to appear before the Judge-Advocate, among other of His Majesty's justices of the peace. I being well aware that it was a delicate piece of business, I called on Capt. Abbott, a justice of the peace—under whose particular directions I had been for a considerable time—and informed him of the business, and shewed him the warrant, and asked him, as it was specified in the warrant for me to bring Jno. McA. to Sydney, whether it was necessary for me to go personally with him. Capt. Abbott replied and said he did not conceive it was, and gave me directions to go to Mr. McA. and present the warrant. He dared to say that he would comply with it, and that I might go down to Sydney as if I was going on my own business—only to see that Mr. McA. made his appearance, agreeable to the directions of the warrant. Under these directions I went to Mr. McA.'s house and inf'd one of his servants—who was in the kitchen—that I wanted to see Mr. McA. on some particular business. The servant went and informed Mr. McA., in consequence of w'h Mr. McA. came to the back door of the house. I informed him that I had just rec'd a warrant from R'd Atkins, the J.-A., wherein I was directed to bring him to Sydney to-morrow, 16th. He asked me to give him the warrant, which I did, and he politely asked me into the parlour; he ordered me a chair to sit down, and made me a glass of grog. During the same time he was perusing the warrant, and said that it was an illegal thing, and requested me to take it to Capt. Abbott for him to back it. After saying a great deal, in consequence of the warrant

* That is the letter of the 7th December, 1807, ante, p. 466

being presented, desired pen, ink, and paper might be given me that I might write down what he had said, which I declined to do, in consequence of w^h Mr. McA. took a pen and wrote the note—which being produced before the Court* is the same or to the same effect. I remarked it was a disagreeable business and hoped he would not be angry with me. He gave me that paper as a justification that I had done my duty in serving the warrant, and with great reluctance I took it off the table, asking him if it was his will that I sh^d take it. Mr. McA. replied, “By all means.” I asked him if I should wait on him in the morning. I do not recollect him making any reply; in consequence of w^h I came away with the paper.† I went to Capt. Abbott a second time, who I found in bed. I requested the servant in the kitchen to inform Capt. Abbott that Mr. McArthur would not comply with the warrant, and that I had waited on him (Capt. Abbott) for directions how to proceed. Capt. Abbott, I believe, did not get up; but I went to the window and informed him that Mr. McA. had given me his written objections why we w^d not comply with the warrant, and I informed Capt. Abbott verbally of the substance of it, and asked his advice how I sh^d proceed. He replied and said that he did not think the warrant was sufficient to use violence. I then asked him if I had better to proceed on to Sydney in the morning. He told me I had. I then made application to him for the Parramatta boat. He informed me that it was at Sydney, and that I had better set off early in the morning. Under those directions I left Capt. Abbott’s yard. In going home, Mr. Edward McArthur overtook me and said that his father w^d go to Sydney, and requested the written paper again. I told him to deliver my compl’ts to his father; that I could not deliver it with propriety; but that if he complied with the warrant I perhaps would not present it. In the morning I went to Sydney. I went to Mr. Atkins’s office and presented the paper that Mr. McA. had given me. Mr. Atkins desired me to wait until he had seen the Gov^r. Some short time after I was sent for to Gov^t House and requested by Mr. Atkins to relate to the Gov^r and himself what had passed, w^h I did, and was as I have stated to this Court. The Gov^r seemed to blame me that I had not brought Mr. McA. down. On the same day I was brought before a Bench of Magistrates to give ev^{ce} on the business, which I did. After my ev^{ce} resp^{ng} the paper was gone thro’, I informed the Bench that Mr. McA. had s^d at the time I first presented the warrant at his house that “had the person who issued that warrant served it instead of me he w^d have spurned him from his presence,” or words to that effect; and that Mr. McArthur at the same time said, after cautioning me what I was about, that “if I came a second time to enforce the warrant to come well armed, that he never would submit till blood was shed.” Mr. McArthur further remarked at the same time that he had been robbed of £10,000, but said, “Let them alone; they will soon make a rope to hang themselves.” He said the Gov^r and them had robbed him.

1808

2 Feb.

Oakes
returns to
Abbott.He delivers
Macarthur’s
message to
Atkins.

Q. Relate the conversation that passed several days after with the Gov^r and yourself?—A. There were certain questions put by the Gov^r, and I gave certain answers. I cannot recollect the particulars.

Q. State to the best of your recollection the purport of the questions at the Gov^r put to you?—A. The Gov^r said that it was necessary to explain some questions that he had got to put to me. The purport of them was the questions that were taken from the depositions taken by the Judge-Cl. on the 16th. One question was to this effect: “What did Mr. McA. mean when he said he treated the warrant with scorn and contempt, as he did the persons who issued it?” I told the Gov^r that I supposed he meant Mr. Atkins and himself.

Oakes
questioned
by the
Governor

* Ante, p. 475.

† Asked at the trial of Lieutenant-Colonel Johnston in 1811 to describe Macarthur’s conduct on this occasion, Oakes replied that he “behaved in a very outrageous manner, and made use of a great deal of very improper language.”

1808

2 Feb.

Q. Was Mr. Atkins present when you had the above conversation with the Gov'r?—A. No.

Q. Was Geo. Crossley present?—A. No; he came upstairs to the Gov'r just after the questions and answers were concluded.

Q. Did Crossley put any questions to you, or had you any conversation with him on that subject?—A. He did not at that time put any questions. I asked him if I was warranted in breaking Mr. Blaxcell's door, and he said I had done nothing but my duty. Crossley never put any questions to me, or ever took anything down in writing from me.

Q. Was you ever sworn in as constable?—A. No.

Oakes's
replies to
Governor.

Q. Did any conversation pass between you and the Gov'r wherein Mr. McA. was concerned but that which you have now stated to the Court?—

A. I did state the circumstance of Mr. Hannibal McArthur taking a copy of the warrant, and Mr. E. McA. going for Mr. Bayly. I was asked who I conceived Mr. McA. meant when he said, "Let them alone; they will soon make a rope to hang themselves"; and I answered I supposed he must mean every officer in power.

Q. You have stated to this Court that a conversation passed between you and the Gov'r at the time alluded to which you do not think prudent to mention;—what was that conversation?—A. The conversation that passed as related in my last answer, and some other questions that I cannot recollect.

Q. Did or not the pris'r say to you that the Gov'r was a tyrant?—A. I do not recollect he did.

Q. Did you ever tell the Gov'r that the pris'r had said that he, the Gov'r, was a tyrant?—A. I told the Gov'r that Mr. McArthur represented him as a tyrant, which opinion I formed from the paper delivered by Mr. McA. to me; but what I said to the Gov'r I did not say on oath.

The Prisoner's cross-exam'n of this witness :—

Cross-
examination
of Oakes.

Q. You have stated in your ev'ce that you are not a sworn-in constable: did you not come to my house at Parramatta on the ev'g of the 15th December for the purpose of apprehending me, under the authority of a warrant from the Judge-Advocate?—A. I came to serve one.

Q. Did you serve that warrant?—A. I served it, so far as giving it into the hands of Mr. McA.

Q. Did you lay your hand on my person and require me to submit to your authority?—A. No.

Serving the
warrant.

Q. You say I gave you a glass of grog and offered you a chair, and you have recited the whole of my conversation;—pray did you say nothing?—A. You gave me a glass of grog and offered me a chair. I have not recited the whole of the conversation, but the particulars. I did say something.

Q. Did you not say that it was the common conversation of the place how shamefully the Naval Officer had behaved in stopping the Parramatta schooner and her cargo?—A. I do not recollect anything of the kind.

Q. Did you not say that the whole country cried out against such arbitrary proceedings?—A. I do not recollect it.

Q. Did you not say that you knew the warrant which you had brought was an illegal one; and, let the consequences be what they would, that you w'd not serve it?—A. No; I never considered the warrant illegal I conceived I had served.

Macarthur
refuses to
obey the
warrant.

Q. Did I not say, "Oakes, you are a poor man; you may give offence. Go to Capt. Abbott, tell him I will not obey this illegal warrant, and get his instructions how you shall act"?—A. Mr. McA. said it was an illegal warrant, and requested me to take it to Capt. Abbott to back it.

Q. Did you not reply, "I know it is of no use to take it to Capt. Abbott. I know he will not have anything to do with it"?—A. No.

Q. Why did you not immed't'ly take it to him when you found he w'd not obey it?—A. I did immed't'ly take it to Capt. Abbott.

1808

Q. Did I not, immed't'ly after I told you "I will not obey this warrant," and desired you to go to Capt. Abbott's, sit down and write the paper produced to the Court?—A. Yes.

2 Feb.

Q. Did you not receive this paper as a justifi't'n of yourself and as a full and complete answer to the Judge-Ad.?—A. I did.

He gives his reasons in writing.

Q. Whilst I was copying this paper, did you not say you was glad to have it, because it would prevent you making any mistake in repeating my words?—A. No.

Q. Did you not say, "Do you think I can be hurt, sir, for not serving this warrant, for I w'd on no acc't insult a gentleman like you by taking him out of his house at this hour of the night"?—A. I don't recollect.

Q. Do you not remember I said, "Oakes, this warrant can only be meant as an insult to me, and most probably they will be angry with you for disappointing their expectations; but you may tell them in your excuse that I am a sort of gentleman you do not much like forcing into anything, and that if they send you with another warrant they had better provide you with an armed force, for I looked in a desperate ill-humour"?—A. No.

Q. Did you not reply, "I will tell them that I will take care not to expose my life to danger, for I think there will be blood shed"?—A. No.

Q. During the whole time that you were at my house, did I treat you with any unkindness or incivility?—A. No, but to the contrary.

The constable civilly treated.

Q. You have declared in y'r ev'ce that my son overtook you on your return home, and requested you in my name to return the written paper I had given you, w'h you refused, and by w'h ev'ce it appears as if I had been desirous to retract the answer I had sent to the Judge-Advocate. Now, I ask you, on your oath, whether my nephew† did not tell you the next morning that that message was never authorized by me, but sent by Mr. Bayly without my knowl'dge?—A. Yes.

Q. Then, why did you conceal that cir'ce from the C'rt but with an intention to make me appear like one of the pusilanimous tribe you had enlisted yourself amongst?—A. I did not see it necessary.

A suppressio veri.

Q. Did you not tell Mr. Crook and Mr. Hassall, on your return from my house on the 15th Dec'r, that I had been very ill-used, or words to that effect?—A. No.

Q. What did you tell them?—A. I did not tell them anything particular.

Q. Did you not tell Capt. Abbott that I was very ill-used, or words to that effect?—A. I do not recollect.

Q. When you came to Sydney the next morn'g, did you go to the Governor or the Judge-Ad. first?—A. I went to the Judge-Ad.

Oakes reports to Atkins and then to the Governor.

Q. How long after that was it that you went to the Gov'r? A. Between eight and nine o'clock.

Q. Where did you see the Gov'r?—A. In the garden.

Q. Who was with him?—A. Mr. Atkins.

Q. You then showed him the paper, did you?—A. No; I had given it to Mr. Atkins before.

Q. Did the Gov'r talk much to you about what had passed the preceding ev'g?—A. No great deal.

Q. Did you continue in the garden all the while you was with the Gov'r?—A. In the garden, and from thence to the field at the back of the house.

Q. I suppose you went into that private situation, recollecting the old proverb that "walls have ears"?—A. I do not know the Gov'r's reason.

Q. You rec'd a warrant to apprehend me that day, did you not?—A. Yes.

A second warrant for the arrest of Macarthur.

Q. How many armed men accompanied you when you went to execute that warrant?—A. Three, with sticks or cutlasses.

* Ante, p. 475.

† Hannibal Macarthur.

1808

2 Feb.

Searching
Mr.
Blaxcell's
house.

Q. Do, you upon y'r oath, mean to say that you do not know that two of these men were armed with cutlasses?—A. I believe two of them had cutlasses.

Q. When you went to apprehend me on this warrant, did you not go through the open rooms of Mr. Blaxcell's house in search of me?—A. Yea.

Q. Did not Mr. Blaxcell assure you I was not there?—A. Yea.

Q. Did you not go to a locked door of Mr. Blaxcell's and break it open, exclaiming, "We are no children"?—A. After Mr. Blaxcell and his lady were requested to open it and refused, it was bursted open.

Q. Did you find me there?—A. No.

Q. Where did you find me?—A. At Mr. Grimes's, sitting publicly in company with sev'l other gent'm.

Macarthur's
arrest.

Q. When you produced the warrant, did I resist it with any violence?—A. No; but you said you w'd not comply with it, desiring the gent'm to take notice that he was taken against his will.

Q. Did you go to Gov't House after you had apprehended me?—A. I cannot recollect.

Q. Did you get nothing that day from the Gov'r?—A. I do not recollect I did.

Spirits to
constables
and superin-
tendents.

Q. Did you get no spirits out of the store that day?—A. I do not recollect.

Q. How many gallons did you get as your share amongst the constables?—A. I got ten gallons as a superintendent.

Q. Was not your share always five gallons before?—A. Sometimes five, sometimes ten, as other superintendents.

Q. Was not the quantity of spirits to be issued on that occasion left to Cap't Abbott, the magistrate at Parramatta, and did he not put y'r name down for five gallons only?—A. Yes; but in consequence of my name being down in the list of Supt's I rec'd the same as them.

Q. How often have you been at Gov't House since I was apprehended to be consulted on the ev'ce you was to give on my trial?—A. Once.

Q. How often have you seen Crossley since?—A. Never on Mr. McArthur's business.

Crossley.

Q. Has Crossley never shewn you or any other person the questions you were to be asked on this trial?—A. Never.

Q. As you have acknow'dg'd that you told the Gov'r that I had represented him to be a tyrant, had you no other reason for so saying than the opinion you formed on the written paper I gave you?—A. No.

Q. How do you justify yourself in the presence of God and man for being the cause of my standing at this bar to defend myself against an accusation of calling the Gov'r a tyrant and a robber, when you acknowl'dge you never heard me utter such words?—A. I do not think that is the cause of your being brought here.

The evidence on the part of the Crown being closed, the Court are of opinion that the prisoner need not make any defence.

FINDING OF THE COURT.

Macarthur
acquitted on
all the
charges.

The Court are of opinion that no one of the charges of which you are arraigned before this Court have been proved; that the speech you made before the Bench of Magistrates was not seditious or stronger language than an unauthorized seizure of your property might warrant, or they would have taken cognizance of it; and that the warrant issued against your person on the 15th Dec'r has been proved to the satisfaction of the Court to have been illegally issued and served; and that the paper writing you delivered to Oakes, an unsworn constable, you were defensible in. We therefore unanimously and fully acquit you of all the charges laid in the information against you, and you are hereby discharged.

C. GRIMES,

Acting Judge-Advocate

GOVERNMENT AND GENERAL ORDER.

1808

3rd February, 1808.

3 Feb.

By the appointment of Edward Abbott, Esq're, on the 27th January to act as Judge-Advocate, he was created a magistrate; but, as he has declined accepting that office, it may be necessary to explain that he is still a magistrate, and to be respected accordingly.

Abbott a
magistrate.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sydney, 5th February, 1808.

5 Feb.

I AM directed by His Honor the Lieutenant-Governor to apprise you that he cannot allow you to hold any communication with the officers and seamen of His Majesty's ship Porpoise, and that he shall consider any attempt to do so, either by letter or otherwise, as a breach of your arrest.

Bligh not to
communi-
cate with
officers or
men of
Porpoise.

N. BAYLY,
Secretary.

GOVERNMENT AND GENERAL ORDER.

6th February, 1808.

6 Feb.

THE Deputy-Commissary, Mr. Fitz, is hereby ordered to collect the debts owing to Government, for which service he will be allowed a remuneration of 2½ per cent. All persons who stand indebted to the Government are requested to pay their debts immediately.

A
Government
debt
collector.

GOVERNMENT AND GENERAL ORDER.

7th February, 1808.

7 Feb.

JAMES SYMONS, Esq're, Commander of His Majesty's ship Porpoise, is appointed a magistrate, and is to be respected as such.

Officers and all other persons who may have occasion to make applications to the Lieutenant-Governor relative to their private concerns are directed to communicate their business by a written memorandum, and the Lieut.-Governor forbids any verbal request being made to him except on public affairs.

Verbal
applications
forbidden.

If the officers and respectable inhabitants are desirous to purchase a moderate supply of spirits for their domestic uses, the Lieutenant-Governor will readily grant them permission; but it is at the same time to be understood that the former orders respecting the importation and landing of spirits are still in full force, and that a rigid observance of them is required.

Spirits for
domestic
use.

The Lieutenant-Governor feels confident that no officer will so far forget himself as to abuse the indulgence allowed him as to attempt to obtain spirits clandestinely; but that his intentions on this subject may be known, the Lieutenant-Governor hereby promises that if any person in trust shall be detected by a soldier in illicit practices, the soldier shall be rewarded for the discovery with a discharge, a farm, and other indulgencies; if by a prisoner, he shall receive an unconditional emancipation, and be provided with a passage to England.

Officers not
to procure
spirits clan-
destinely.

1808

NICHOLAS BAYLY TO GOVERNOR BLIGH.

8 Feb.

Sydney, 8th February, 1808.

—
 Dispatches
 by the Dart.

HIS HONOR the Lieutenant-Governor has directed me, sir, to inform you that he intends to send dispatches to His Majesty's Ministers by the ship Dart,* and that she will sail in ten days; that, if you are desirous to send any letters by her, either publick or private, they shall be put into the dispatch box; and, if you wish it, the box shall be sealed in your presence with your own seal.

N. BAYLY,

Secretary.

SENDING A DELEGATE TO ENGLAND.† (Bligh Papers.)

MEMORANDUM of the proceedings of a Committee, called on the 8th day of February, 1808, for the purpose of selecting, by a majority of voices, a person to be called a "Delegate," to proceed to England, to state the grievances of the inhabitants of New South Wales, and for sundry other matters.

Present (apparently), as members, in the church of St. Philip, Sydney:—

Prominent
 citizens.

Mr. Blaxcell,
 Mr. Bayly,
 Mr. Jno. Blaxland,

Mr. Wentworth,
 Mr. Minchin, and numerous
 other gents. of the present
 establishment.

The object
 of the
 meeting.

Mr. Blaxcell opened the business (in his speech he was much assisted by Mr. Bayly, his voice being very tremulous, and he appeared in many parts deficient of words to express his meaning more forcibly) by signifying that it was not the intention of the gentlemen present to meet for the express purpose of commemorating the ever-memorable 26th January last; but it was for the purpose of expressing to the inhabitants that it ever had been, and would continue to be, the wish of His Honor the Lieutenant-Governor to keep inviolate the laws of the British nation, and the rights and liberties of Englishmen; that the step he had taken was actuated by that wish, and to suppress that tyranny under which every inhabitant of this country groaned; also, to propose that a sword, not under the value of one hundred guineas, might be presented to Lieutenant-Governor Johnston for the wise and salutary measures he had adopted to suppress the tyranny which ruled this country; and, also, that an address of thanks might be presented to him (with the sword) for his manly and spirited conduct on the said 26th day of January.—Agreed.

A sword to
 be presented
 to Johnston.

Thanks to
 the soldiers.

Further, that an address of thanks might be presented to the officers, non-commissioned officers, and privates of the New South Wales Corps, for their spirited and manly conduct on the said day.—Agreed.

* The Dart did not sail until 20th April, 1808. On board of her were Edward Macarthur (John Macarthur's eldest son) and Charles Grimes.

† This memorandum is printed from the papers preserved by Bligh's descendants.

Further, that an address of thanks might also be presented to John McArthur, Esqr., as having been chiefly instrumental in bringing about the happy change which took place on the said day.—Agreed.

1808

8 Feb.

Thanks to
Macarthur.

And, further, that a delegate might be then and there appointed by vote to proceed immediately to England, and state to His Majesty's Ministers those grievances the inhabitants of this colony laboured under during the administration of His Excellency Governor Bligh, and praying redress.

A delegate
to be sent
Home.

In answer to the proposal of appointing a delegate, Mr. McArthur was voted by the populace to fill that station. The first vote (by the voice) was a woman. Mr. McArthur was accordingly sent for. When he came, he, in very studied language, expatiated on the injuries he had received from His Excellency Governor Bligh and the Bench of Magistrates, telling the people they then beheld a man who had nearly fallen a victim to a band of bloody-minded (or bloodthirsty) wretches, &c.—villains who wanted to drink his blood; and using other, the most scurrilous language against the Governor and Bench of Magistrates, comparing them to nothing less than a parcel of assassins; that plans, the most diabolical, had been laid with such damnable craft that could not have failed to overwhelm him in total ruin and destruction had it not been for the timely interposition of Divine Providence in rescuing him from the malice of his enemies. Much more was said to the same purport, in which he betrayed much emotion, frequently clasping his hands together with great energy. He further said that, notwithstanding the injuries he had received from the Governor and magistrates, yet he did not wish a hair of their heads to be injured. He then proceeded to thank the populace for the honor conferred on him by appointing him their delegate, and said that, however repugnant it was to his wishes to embark for England at that time, and pleading his want of capacity to fulfil the arduous task imposed on him, yet, in gratitude to his friends for the honor they did him, he would devote the last hour of his existence to their service, and, without loss of time, settle his affairs, proceed to England, and lay before His Majesty's Ministers the very heavy grievances under which the inhabitants of these settlements laboured during His Excellency Governor Bligh's administration, and pray that those grievances might be redressed.*

Macarthur
selected.He
addresses
the people.and consents
to go to
England.

Mr. Blaxcell then rose. He said that, as it could not be expected his friend, John McArthur, Esquire, would be enabled to proceed to England and accomplish his undertaking without incurring a very considerable expence, he hoped the inhabitants would consider of it. He therefore made a proposal that a sum of money, sufficient to answer the exigencies of the occasion, should be raised by the

Raising a
subscription
to defray
Macarthur's
expenses.

* As is well known, Macarthur did not go to England until Johnston did, and he went a private individual as witness for Johnston, and not as a delegate.

1808
8 Feb. voluntary contribution of such of the inhabitants as chose to agree to the measure ; that a place would be appointed for the purpose of receiving whatever sum each individual chose to contribute, who must sign his name, and express the sum he gave thereto, on a paper stating the minutes and proceedings of the meeting or delegate committee, which paper has since been signed by some persons, and, when I* saw it, to the amount of £1,030 was contributed. All the former business being settled and agreed to,—

A service of
plate to the
officers.

Mr. John Blaxland rose, and, in a very blundering, clownish speech, proposed to the audience that a service of plate, not in value less than £ ——— should be presented by the inhabitants to the officers of the New South Wales Corps, for the use of the mess, as a testimony of their gratitude, and respect for their very spirited, manly, and patriotic conduct on the ever-memorable 26th January, 1808.—Agreed. And here the committee broke up. It was by candle-light, at eight o'clock in the evening, notice whereof was given at least 5 or 6 hours before it took place. It is also necessary to observe that great quantities of wine and spirits were distributed by Mr. McArthur to the soldiers and populace prior to the meeting taking place.

COPY of an Agreement entered into on a subscription being voted to defray the expences of Mr. McArthur's proceeding to England as a delegate, and to present a sword to Major Johnston, and a service of plate to the officers who composed the Criminal Court on the trial of McArthur.

Redress of
grievances.

AT a most respectable meeting of the inhabitants of the town of Sydney, convened on Monday, the eighth day of February, 1808, several propositions were made, and unanimously agreed to, in order to carry into effect the resolution they so cheerfully acquiesced in for the general benefit of every individual in the colony, by a representation to Parliament of the various grievances they have for a length of time laboured under, and more particularly so under the administration of Governor Bligh, it was found expedient the raising, by voluntary subscription, a sum of money adequate to defray the expences of John McArthur, Esqr., who was nominated the fit representative of this colony to lay before His Majesty's Ministers in England such circumstances as have transpired to the detriment of the commerce, welfare, peace, and advancement of this place, and to pray that His Majesty will be pleased to make such alterations in the mode of government as may tend to the advantage, peace, prosperity, and happiness of this community ; as also for the purpose of defraying the expences of a sword to be presented to His Honor Lieutenant-Governor Johnston, and a present of plate to the officers composing the Criminal Court on the trial of John McArthur, Esqr. We, the

Dissatisfied
with the
the mode of
government.

* That is, Bligh. The statement is in his handwriting.

undersigned, do most willingly subscribe the respective sums against our names expressed, for the above laudable purposes; and as it is necessary, for the proper management and appropriation of the sums received for such intentions, that a committee consisting of such members as a majority of the subscribers may think proper to appoint, to conduct the same, and to see that the money is applied solely to the purposes intended by us.

1808

8 Feb.

| | £ | s. | d. | | £ | s. | d. | |
|-------------------------|-----|----|----|-------------------|----|----|----|---------------------------------|
| Lord, Kable, and Under- | | | | Isaac Nichols ... | 50 | 0 | 0 | Subscrip-
tions
promised. |
| wood | 500 | 0 | 0 | Rosetta Marsh... | 20 | 0 | 0 | |
| Nicholas Bayly... .. | 100 | 0 | 0 | Mary Skinner ... | 10 | 0 | 0 | |
| Jno. and Greg'y Blax- | | | | Edward Wills ... | 30 | 0 | 0 | |
| land | 200 | 0 | 0 | Daniel McKay... | 10 | 0 | 0 | |
| Garnham Blaxcell ... | 100 | 0 | 0 | William Evans ... | 5 | 5 | 0 | |
| Eber Bunker .. | 20 | 0 | 0 | John Redman ... | 10 | 0 | 0 | |
| Elizabeth Driver ... | 30 | 0 | 0 | John Gowen ... | 10 | 0 | 0* | |

GOVERNMENT AND GENERAL ORDER.

8th February, 1808.

THE present state of His Majesty's stores renders it necessary to reduce the ration of salt meat to two pounds to each man. The ration of the women and children to be reduced in proportion in lieu of the two pounds taken off. The officers, civil and military, and the troops are to receive three pounds and a half of fresh beef; the convicts are to receive six pounds of wheat in addition to the present quantity issued to them.

The ration
of meat to
be reduced.

The Commissary will direct the Deputy Commissaries and store-keepers to issue the soldiers' ration as follows:—On Saturdays, two pounds of fresh beef and two pounds of pork; on Thursdays, one pound and a half of fresh beef.

GOVERNMENT AND GENERAL ORDER.

10th February, 1808.

10 Feb.

A COURT of Civil Jurisdiction will assemble on Monday, the 15th instant, composed of the Acting Judge-Advocate, Charles Grimes, Esq're; Mr. Thomas Laycock, and Mr. Thomas Moore.

The Courts.

A General Court-Martial will assemble on Wednesday, the 17th instant. Officers for that duty:—Captain Anthony Fenn Kemp, President; Lieutenant William Moore, Lieut. Thomas Laycock, Lieut. William Lawson, Lieut. C. Draffin.

* In the evidence given at the trial of Lieutenant-Colonel Johnston (*Bartrum*, p. 300), the following additional names and sums appear:—

| | £ | s. | d. | | £ | s. | d. |
|------------------------|---|----|----|-----------------------|----|----|----|
| William Chapman | 5 | 5 | 0 | Miles Fieldgate | 4 | 4 | 0 |
| John Miller | 1 | 0 | 0 | William Gough | 10 | 0 | 0 |
| John Lee | 0 | 5 | 0 | Richard Paluer | 1 | 10 | 0 |
| Thomas Legg | 2 | 10 | 0 | Lawrence Brady | 1 | 1 | 0 |
| Jesse Mulcock | 5 | 5 | 0 | John Jones | 5 | 5 | 0 |
| Richard Tuckwell | 5 | 5 | 0 | W. Blake | 10 | 0 | 0 |
| Henry Lane | 5 | 5 | 0 | Enoch Kinseld | 2 | 2 | 0 |

1808

10 Feb.

A vendue
master.

It having been represented to the Lieut.-Governor how satisfactory it would be to the inhabitants if a gentleman of respectability were to be appointed to do the duty of auctioneer, Garnham Blaxcell, Esquire, is hereby appointed Vendue Master, as auctioneer to the colony, and all other persons are forbidden from acting in that capacity.

PRINCIPAL SURGEON JAMISON TO MAJOR JOHNSTON.

Sir,

Sydney, 10th February, 1808.

I have to acknowledge the receipt of your Honor's letter, enclosing an extract of a letter written by the late Governor to the Secretary of State, dated the 31st October, 1807.*

Jamison
asks for a
Court-
Martial.

As I consider the charges contained in the extract groundless and malicious, calculated to ruin me secretly in the eyes of His Majesty's Ministers, I have to request you will be pleased to order a General Court-Martial to investigate my conduct, and give me an opportunity of vindicating my injured reputation.

I have further to request you will take the necessary steps to direct the late Governor to come forward to substantiate any charges he may have to prefer against me.†

I have, &c.,

THOMAS JAMISON,

Principal Surgeon.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

11 Feb.

Sydney, 11th February, 1808.

Bligh to sail
in the
Pegasus.

I AM ordered by His Honor the Lieutenant-Governor to inform you, sir, that he has agreed for the cabin of the Pegasus and 30 ton of freight, intending to send you to England in that vessel: that the cabin shall be fitted up in any manner you think proper to point out; and that you may be enabled to arrange your accommodations to your own wishes, His Honor has desired me to present you with a plan of the cabin as it is now divided; that a survey will be immediately ordered on the ship; and, if you desire it, a boat shall attend to take you on board, that you may examine her yourself, and determine if anything be wanting which can be supplied to contribute to the safety and comfort of your voyage.

Attendants
to be
allowed to
accompany
him.

If any of the servants you may select to accompany you are prisoners, or if there be any medical person you may like to attend you, their emancipation will be given to them, subject to the approval of the Secretary of State. The Lieutenant-Governor will be thankful if you will come to some decision respecting the completion of the tomb of your late son-in-law.

NICHOLAS BAYLY,

Secretary.

* See Bligh's letter referred to. The extract relative to Jamison will be found on p. 555, ante.

† See also Jamison's further letters on this subject, post, pp. 520, and 535.

GOVERNMENT AND GENERAL ORDER.

1808

11th February, 1808.

11 Feb.

DAVID LANGLEY, superintendent of the Government blacksmiths, dismissed.

Thomas Hodges is appointed superintendent of the Government blacksmiths, in the room of David Langley.*

Appoint-
ment of a
superin-
tendent.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir, Government House, Sydney, 11th February, 1808.

In answer to your message by Mr. Bayly this morning, stating that you had agreed for the cabin of the Pegasus and 20 tons of freight in order to convey me to England in that vessel, and that accommodation should be fitted to my wishes and everything supplied to contribute to the safety and comfort of my voyage, I trust the objections I now make will be very maturely considered, to the safety of my life, and that I may not, with my family and friends, be sent in the above ship to perform a voyage the greatest danger through the tempestuous weather which is now, during the winter season, from hence round Cape Horn, and where we can find no port to get relief; to which I must add the stresses that will attend an affectionate daughter, who is to accompany me in a very weak and low state, and who is constantly confined and sick at sea.

Bligh
objects to
embark in
the Pegasus.

My objections to the Pegasus, under the impressions of the very long voyage I have to perform, are that I consider her too small and too weak for my safety and accommodation. If she was of a sufficient burthen I should then be under the necessity of objecting to her, as her iron fastenings are insecure; her bottom not sufficiently tight; her ironwork, from the great age of the ship, may be in a decayed state and not sufficient; her sheathing green wood, and that she will be dangerously leaky; that her pumps will not keep her free; that her rigging, from long wear in a hot climate, is become perished and will not support the masts in long and continued storms now to be met with; and that I do not consider her well found in either sails, anchors, or cables.

His reasons
for
objecting.

Under such calamitous expectations, founded on sound and great experience, I have to call your attention how the whole may be avoided, and I trust to your entire satisfaction, without loss of time, increase of expence, or hindrance to the public service, and which I must state to obviate any supposed necessity of my proceeding in the said ship Pegasus.

Bligh
suggests an
alternative.

Several ships will arrive here next month. These ships (whalers) are all copper-bottomed, and well-found, and on their arrival will in a few days be ready to sail for England.

* It was one of the remarkable features of Major Johnston's administration that he dismissed officials of well nigh every class, even down to the gaolers and superintendents.

1808

11 Feb.

Will go
Home in one
of
Campbell's
ships.

I may here also observe that Mr. Campbell's ship, the Albion, is soon expected, and should you approve of my desire to leave [in] that ship, the expence may be left for the decision of His Majesty's Ministers. The Alexander (Brooks) is hourly expected from England, and should she arrive previous to the Albion, Mr. Campbell will also engage that she shall sail with me Home, with every exertion after her arrival, on the same terms.*

To this I must likewise beg you will consider that it will be some time before my papers in your possession will be ready for me, and my affairs settled, to conclude which I will not lose a moment in executing.

With regard to the medical assistants and the servants you have been so good as to offer me, I have to request a short time to deliberate who I may name for that purpose.

I am, &c., W^M BLIGH.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

12 Feb.

The tomb of
Captain
Putland.

Sir,

Government House, Sydney, 12th February, 1808.

In answer to your written message of the 1st instant by Mr. Bayly, that if I had determined on any plan of finishing the tomb of my late son-in-law, Captain Putland, or if I had not and was desirous to consult with any of the artificers upon the subject they should be immediately ordered to wait upon me and to proceed to the execution of my wishes, and that the expense should be transmitted with other accounts for His Majesty's Ministers to decide whether the tomb is to be finished at the public or my private expence, I have to express my thanks for this offer; but as Mrs. Putland is extremely anxious that the body should be sent to England to his friends, I have to request that the vault may only be covered over, and a flat stone put thereon until an opportunity offers to comply with Mrs. Putland's wishes.

The place where the body lies I had contrived to be a part of a large vault (of which Mr. Divine, the superintendant, has a plan) for the family use of all Governors who might require it.

I am, &c., W^M BLIGH.

NICHOLAS BAYLY TO PRINCIPAL SURGEON JAMISON.

Sir,

Sydney, 12th February, 1808.

Jamison's
dismissal
from the
magistracy.

In consequence of your letter of the 10th inst.,† I was directed by His Honor, the Lieutenant-Governor, to require from the late Governor a specification of the offences you had committed to occasion your dismissal from the office of magistrate, and to draw down upon you the severe accusations contained in his letter of the 31st October, 1807,‡ to His Majesty's Secretary of State.

* It appears from this that at the time Bligh wrote this letter he was willing to proceed direct to England. His partiality to one of Campbell's ships is explained by the fact that Campbell was one of his confidential advisers.

† Ante, p. 516.

‡ Ante, p. 355.

His Honor has this day received in reply a letter from the late Governor, wherein he begs leave to refer to the decision of His Majesty's Ministers. His Honor has directed me to assure you that it affords him particular pleasure to declare that he conceives your dismissal from the magistracy on the 22nd September is only to be attributed to your having attended him as a friend on that day to witness an interesting conversation on public business.*

1808

12 Feb.

The cause of Jamison's dismissal.

And His Honor has also directed me to recommend that you do not give yourself any further trouble upon the subject, because in his judgment no stronger testimony of the integrity of your life can be produced than the silence of your accuser when called upon to come forward and justify his extraordinary attack upon your reputation.

I am, &c.,

NICHOLAS BAYLY,
Secretary.

GOVERNMENT AND GENERAL ORDER.

12th February, 1808.

JOHN MCARTHUR, Esq're is appointed a magistrate and Secretary to the colony. It is to be understood that no salary or emolument can be attached to either of these appointments. All public letters relative to the civil department, are in future to be addressed to the Colonial Secretary.†

Macarthur appointed Secretary.

A muster will be taken on Wednesday at the Hawkesbury of all persons victualled at that settlement by Government.

NICHOLAS BAYLY TO GOVERNOR BLIGH. (Colonial Secretary's Papers.)

Sydney, 13th February, 1808.

13 Feb.

I AM directed by His Honor the Lieutenant-Governor to inform you, sir, that your wishes respecting the tomb of your late son-in-law shall be minutely complied with. I am also directed to acquaint you, sir, that fair copies of many of the confessions and examinations concerning your late government are prepared and ready to be sent to you, which will be done as soon as they have been compared with the originals and properly attested. His Honor therefore wishes that your secretary should attend at the barrack of his aid-du-camp at 10 o'clock this morning that the business may be immediately proceeded upon.‡

Copies of papers offered to Bligh.

N. BAYLY,

Secretary.

[13th February, 1808. — Major Abbott to ex-Governor King. See Appendix A.]

* See Harris to Mrs. King, 25th October, 1807, ante, p. 346, from which it appears that the "interesting conversation" occurred upon the occasion of Johnston protesting against Bligh interfering with the private detail of the New South Wales Corps. See also Fitz to Chapman, ante, p. 305; and the evidence of Bligh, *Trial of Lieutenant-Colonel Johnston*, p. 69.

† This is the first time such an officer appears in our annals.

‡ Bligh replied: "I cannot receive any papers in this country relative to my late Government to which the above-mentioned message alludes."

1808 RETURN of Government stock for 13th February, 1808. Increase, decrease, and remains to 20th February, 1808.

13 Feb.

| Place where kept
Increase and
decrease. | Cattle. | | | | | Horses. | | | | Sheep. | | | |
|---|---------|-------|-----------------|----------------|-------|---------|----------|--------|-------|--------|----------|---------------------|---------------------|
| | Bulls. | Cows. | Bull
calves. | Cow
calves. | Oxen. | Mares. | Fillies. | Cotts. | Rams. | Ewes. | Wethers. | Wethers
lambing. | Wethers
lambing. |
| Parramatta
Increase | 7 | 73 | 180 | 159 | 62 | 14 | 8 | 8 | 10 | 6 | 123 | 178 | 41 144 |
| Toongabbie
Increase | 4 | 165 | 388 | 434 | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Castle Hill
Increase | 2 | 45 | 98 | 102 | 49 | .. | .. | .. | .. | 177 | .. | 256 | 7 |
| Seven Hills
Increase | 7 | 469 | 696 | 688 | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Sydney
Increase | .. | 9 | 6 | 3 | 70 | .. | .. | .. | .. | .. | .. | .. | .. |
| Total of increase | 20 | 700 | 1,249 | 1,291 | 579 | 14 | 8 | 8 | 10 | 6 | 375 | 178 | 297 151 |
| Decrease by acci-
dent | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Supplied the stores | .. | .. | .. | .. | 3 | .. | .. | .. | .. | .. | .. | .. | .. |
| Government House | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Bartered for grain | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Granted to settlers,
&c. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Total of decrease | .. | .. | .. | .. | 3 | .. | .. | .. | .. | .. | .. | .. | .. |
| Total of remains | 20 | 760 | 1,249 | 1,291 | 756 | 14 | 8 | 8 | 10 | 6 | 375 | 178 | 297 151 |

PRINCIPAL SURGEON JAMISON TO MAJOR JOHNSTON.

14 Feb.

Sir,

Sydney, 14th February, 1808.

Bligh's
refusal to
appear
against
Jamison.

I have to acknowledge the receipt of your letter of the 12th inst,* with the enclosures, and I am much concerned to learn that the late Governor declines coming forward to prove his allegations against me before a General Court-Martial, feeling conscious of not deserving such censure. It is particularly gratifying to me to find you acquit me, and that you attribute my dismissal from the office of magistrate to the cause of attending as a friend to witness an interesting conversation, and the enclosed letter from the late Governor a few hours after that event strongly warrants the conclusion.

* Ante, p. 518.

I shall, under these circumstances, let the matter drop in this country, trusting I shall be enabled at a future period to prove the rectitude of my conduct to His Majesty's Ministers.

1808
14 Feb.

I have, &c.,
THOMAS JAMISON, Principal Surgeon.

[Enclosure.]

A COPY of the letter of dismissal from the office of Magistrate alluded to in the above from Edmund Griffin, Secretary, to Thomas Jamison, Esq'r'.

Sir, Government House, Sydney, 22nd September, 1807.

I am commanded by His Excellency to inform you that he has no further occasion for your services as a magistrate.

Jamison
dismissed
from
magistracy.

I am, &c.,
EDMUND GRIFFIN, Secretary.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir, Government House, Sydney, 17th February, 1808.

17 Feb.

On the other side I send you a list of persons that will be necessary for me to have sent to England, and have to request that you will be pleased to take the requisite steps for providing them with a passage accordingly.

Bligh's
witnesses.

I am, &c.,
W'M BLIGH.

| | | | |
|------------------------|-----|-----|---------------------------------|
| Richard Atkins, Esq. | ... | ... | Late Judge-Advocate. |
| Thomas Arndell | } | ... | Late Magistrates. |
| Robert Campbell | | | |
| John Palmer | | | |
| James Williamson | | | |
| Mr. William Gore | ... | ... | Late Provost-Marshal. |
| Mr. Edmund Griffin | ... | ... | My Secretary. |
| Rev'd Henry Fulton | ... | ... | Late Chaplain. |
| Mr. James Wiltshire | ... | ... | Commiss'y's Clerk. |
| Mr. Nich's Divine | } | ... | Superintendants. |
| Mr. R'd Rouse | | | |
| Mr. Fra's Oakes | | | |
| Mr. Andrew Thompson... | ... | ... | Chief Constable at Hawkesbury.* |

GOVERNMENT AND GENERAL ORDER.

17th February, 1808.

It having been represented to the Lieut.-Governor that Mr. Moore, master builder, cannot discharge the duty of a member of a Civil Court without neglecting his other duties, the Acting Judge-Advocate has been directed to draw for another member, and that lot having fallen upon John Blaxland, Esq're, he is hereby ordered to sitt as a member.

Constitution
of the Civil
Court.

* Of these officers, only Campbell, Palmer, Gore, Griffin, Fulton, Divine, and Oakes gave evidence for the prosecution at the Court-Martial, held in May, 1811, on Major Johnston. The Judge-Advocate, Richard Atkins, went over to the other side, and was called by Major Johnston.

1808

COURT-MARTIAL ON D'ARCY WENTWORTH.*

17 Feb.

New South Wales, 17th February, 1808.

PROCEEDINGS of a General Court-Martial, held by virtue of a warrant under the hand and seal of His Honor George Johnston, Esquire, Lieutenant-Governor of His Majesty's territory of New South Wales, &c., &c., &c.

Members of
the Court.

Captain Anthony Fenn Kemp, President; Lieut. Will. Moore, Lieut. Wm. Lawson, Lieut. Thos. Laycock, Lieut. C. Draffin, members; Charles Grimes, Esq'r., Deputy Judge-Advocate.

THE several warrants appointing the president, members of the Court, and Deputy Judge-Advocate being read, and the members and Judge-Advocate being sworn,—

The charges
against
Wentworth.

D'Arcy Wentworth, Esquire, Assistant Surgeon in New South Wales, brought before the Court, and the following charges exhibited against him by Charles Grimes, Esquire, Deputy Judge-Advocate:—

1st. In employing servants of the Crown who were entrusted to his care in labour on his own grounds, and in taking charge of his own stock.

2ndly. In employing for his private emolument settlers' servants who have been sent into the hospital sick, to the great loss and injury of their masters, and thereby subjecting Government to an heavy expence for the maintenance of the men so improperly kept on the sick or convalescent lists.†

Plea—Not guilty.

Letter from the Judge-Advocate to William Bligh, Esq'r., dated 16th of February, 1808, and William Bligh, Esquire's, answer to Lieutenant-Governor Johnston, read to the Court:—

Johnston
willing for
Bligh to be
represented.

“His Honor the Lieutenant-Governor has directed me to transmit to you the copy of the charges against Mr. D'Arcy Wentworth, and at the same time to acquaint you that His Honor wishes to know if there is any person you may wish to appoint as prosecutor before the General Court-Martial to be held to-morrow; or, if there is any particular manner in which you are desirous that the prosecution should be conducted.”

“CHARLES GRIMES.”

Bligh
refuses.

“Sir,

“Government House, Sydney, 16th February, 1808.

“I have this day received a letter from Mr. Charles Grimes, Acting Judge-Advocate, enclosing a copy of charges against Mr. D'Arcy Wentworth, stating that His Honor the Lieut.-Governor had directed him to transmit to me the same, and at the same time to acquaint me that His Honor wishes to know if there is any person I may wish to appoint as prosecutor before the General Court-Martial to be held to-morrow, or if there is any particular manner in which I am desirous that the prosecution should be conducted.

“In reply to which I have only to refer you to my letter of the 16th instant, and to inform you that I cannot enter into any such circumstances until I return to England, and where I can only assign reasons for any act of mine in this colony.”

“I am, &c.,

“W^m BLIGH.”

Evidence of
Griffin.

Edmund Griffin, secretary to the late Governor Bligh, sworn, and the letter, with the accompanying depositions of Oakes and Beldon, from Governor Bligh to the Right Honorable William Windham, sent by the Duke of Portland, read.‡

Q. from the Prosecutor. § Are the letter and deposition produced true copies of those sent to England by the ship Duke of Portland?—A. They are.

* See also Wentworth's letter to Castlereagh and its enclosures, printed ante, p. 313.

† See the depositions of Oakes and Beldon, enclosed in Bligh's letter of 31st October, 1807, ante, p. 369.

‡ See Bligh to Windham, 31st October, 1807, and its enclosures, ante, p. 368.

§ It does not appear who the prosecutor was; probably Grimes, as Deputy Judge-Advocate, acted *pro forma*. As in the trial of Macarthur, in February, 1808, there was really no prosecution, and the decision was a foregone conclusion.

Q. by the Prisoner to the evidence. Did you overhear the late Governor mentioning any settler's name who had complained of my having detained their men in the hospital improperly, or has any person ever accused me to you officially?—*A.* I cannot recollect, but no person has complained officially to me. 1808
17 Feb.
—
The second charge.

Q. Did I not officially apply thro' you to Governor Bligh, on or about the 5th of April last, to be allowed to take two Government servants off the public stores; and, if I did, what reasons did I assign for doing so?—*A.* I recollect an application to take two men off the store to take care of your horses. Wentworth applies for assigned servants.

Q. On being refused my request, did I not beg you again to state to the Governor "that having no servant allowed me by Government, that it would be impossible for me to carry on the duties of my office unless he would allow me to have two men off the store to take care of my horses, which I used for Government purposes"?—*A.* Yes. Refused by the Governor.

Q. On being refused a second time, did I not beg you to tell the Governor that it would be impossible for me to attend the sick at Castle Hill as I was ordered by the Principal Surgeon, and that I should be compelled to order the sick of every description into the hospital at Parramatta?—*A.* You did.

Francis Oakes, late Chief Constable, sworn:—

States to the Court the irregularities committed by Mr. Wentworth, as Assistant Surgeon, in employing convalescents to his own private purposes. A few days prior to Mr. Wentworth's suspension I was directed by the late Governor by letter to go to Mr. Wentworth's premises, and take four men that were employed by him without permission. I went to Mr. Wentworth's house and found two men, and sent a constable to Mr. Wentworth's farm, who took two other men; but one of the men specified in the Governor's letter was out with Mr. Wentworth's cattle, and came and gave himself up in the evening. I was directed by the Governor's letter to get an account of the number of days that the men I found on Mr. Wentworth's premises had been employed; also to send the men found to Government labour at Castle Hill. I found five men, and sent them to Castle Hill, and reported the next day in writing the men's names, and the time they had been employed, which is as stated in the deposition. Evidence of Constable Oakes.

Government men on Wentworth's farm.

Q. by the President. Did you acquaint Capt'n Abbott, the officer in command, and magistrate at Parramatta, with the orders that you had received from the late Governor?—*A.* I believe I did. I shewed him the letter.

Q. from the Prisoner. In your depositions before Mr. Atkins, you have related many other irregularities which happened in the hospital at Parramatta;—can you point out a single person from whom money was taken to get admittance into the hospital, or any person who was discharged thro' the influence of W——, the clerk of the dispensary?—*A.* I was informed by a man of the name of N——, who applied to me for a pass to go to Sydney to the Principal Surgeon, that he had been turned out of the hospital because he would not give W——, the clerk, the sum of two pounds. Abuses at the hospital

Q. Do you know of any person taken into or discharged from the hospital improperly since I had the charge?—*A.* No.

Q. Can you mention the name of any settler's servant who was received into the hospital and detained there from improper motives during the time that I had the charge?—*A.* No.

Q. Can you inform the Court of any person let out of the hospital to go about the country doing mischief since I had the charge, and who has been punished and sent to Castle Hill for the offence?—*A.* No. The clerk at the dispensary.

Q. What authority had you to say that W—— had a great influence over me, and that he made use of the public medicines for his own private

* See the deposition of Oakes, ante, p. 369.

1803

17 Feb.

Wentworth's
garden.

purposes?—A. I do not believe I did say so. I do not think he has any influence on Mr. Wentworth, or that he does make use of the public medicines for his own purposes.

Q. Do you know that I employed the hospital gardeners in my own private garden, except in their own time?—A. Yes.

Q. Was the hospital garden, at the time I was put under arrest, not in good order?—A. No.

Q. Did you ever hear that I had neglected to attend the sick during the time I had charge of the Parramatta Hospital?—A. No.

Q. *by the President.* As you know Mr. Wentworth was intirely unacquainted with the depositions you had made against him before the Governor and the Judge-Advocate, I ask you upon your oath, did any person enjoin you to secrecy that you should not divulge the depositions you had made?—A. No.

Depositions
taken
secretly.

Q. Where were the depositions taken against Mr. Wentworth, and who was present?—A. At Government House, in the presence of the Governor, the Judge-Advocate, and Mr. Griffin, the Governor's secretary.

Q. Did you ever disclose to any person the questions you had been asked by the late Governor; if not, what were your reasons for keeping them secret?—A. I never did disclose them to any person. I had no reason for keeping them secret.

Q. Did it not appear to you that the questions asked by the Governor were for the purpose of injuring Mr. Wentworth, if he had employed men improperly?—A. Yes.

Men
employed at
Went-
worth's
farm.

Q. You have said that many men have been taken from the hospital by Mr. Wentworth and employed about his farm and farm-house for different purposes ever since he came from Norfolk Island;—state your reasons for the assertion?—A. There have been men; F— H — and L — E — have been employed on his farm very often.

Q. When L — K — was brought by you before the magistrates for being absent from the hospital, and had been working at Mr. Wentworth's farm, what was the decision of the magistrates?—A. The magistrates were of opinion that it was improper that the hospital patients should be working about the country and that they would put a stop to it.

Q. Did you ever receive private instructions to look after the hospital during Mr. Wentworth's having charge?—A. Yes, repeatedly, from the magistrates, but no particular ones during the time Mr. Wentworth had charge.

Q. *from the Court.* How long have you been chief constable at Parramatta?—A. Above two years.

The
employment
of convicts
by private
persons.

Q. Is it not customary for individuals to employ servants of the Crown after they have done their Government labour?—A. Yes.

Q. Were not the two gardeners allowed to the hospital at liberty, with the permission of the Surgeon, to go to work for themselves when the garden was in good order?—A. Yes.

Q. Is it not common to give the servants of the Crown a task?—A. Yes.

George Beldon sworn :—

Men from
the hospital
working for
Wentworth.

Q. *from the Prosecutor.* Do you know of Mr. Wentworth, the Assistant Surgeon, employing the hospital patients to his own private advantage during the time he had charge of the Parramatta hospital?—A. I know that Mr. Wentworth had four men employed—two at his house and two at his farm—and had been employed some time at labor for his advantage. T — S — and M — D — at his farm and J — M — and L — K — about his house. I informed Rouse, the superintendent, how these men were employed, and Rouse informed the late Governor and the men were taken from Mr. Wentworth and sent to Castle Hill to public labour. F — H — had been employed by Mr. Wentworth, but was

discharged after being three months at Mr. Wentworth's farm on the wound of his hand being well. J — G — was employed two days about Mr. Wentworth's house, tho' on the hospital list.

1808

17 Feb.

Q. You have been long the camp overseer ;—is it not customary for the person who has charge of the hospital to employ the convalescent patients in doing any light work about his barrack or garden ?—A. Yes.

Q. Has Mr. Wentworth made use of the convalescent patients otherwise than has been customary for other Assistant Surgeons at Parramatta during the six years you have been an overseer ?—A. No.

Convalescents employed on light services.

Q. Where were the depositions* you took against Mr. Wentworth taken, and in whose presence ?—A. I was sent for some time in July last by the late Governor to the Government House at Sydney. The Governor and Judge-Advocate were present. The Governor asked me about the men taken from Mr. Wentworth. Some questions were asked me by the Judge-Advocate—some that I could answer and some that I could not—and I told the Judge-Advocate that I could not answer some. That the Judge-Advocate would have read all the questions, but the late Governor told the Judge-Advocate that there was not any occasion. About two months after a paper was given for me to sign by Mr. Griffin, the Governor's secretary, at Parramatta ; but the contents I do not know, not being able to read ; but some part was read by Mr. Griffin, but not the whole, as I saw more writing on other sheets of paper. Mr. Oakes was present when I signed the paper presented by Mr. Griffin.

An examination in camera.

Q. *from the Prisoner.* How long was it after the men were taken from my charge that three of them were sent in by the superintendant at Castle Hill to the hospital ?—A. They were sent in a few days after.

The evidence on the part of the prosecution being closed, the prisoner enters on his defence :—

Gentlemen,

Sydney, 17th February, 1808.

When I reflect upon the great disgrace which I have suffered in the eyes of the colony in being so improperly suspended from my situation after seventeen years faithful services, it is with unspeakable pleasure that I am this day allowed to vindicate my conduct before a Court of honorable men, who I am confident will decide upon my case with impartiality and justice. But notwithstanding the numerous injuries and acts of injustice which I have experienced from the late Governor, I am induced, by a consideration of the melancholy situation to which he has reduced himself by his own misconduct, to refrain from attempting to explain the motives by which he was actuated in his very extraordinary conduct towards me.†

Wentworth addresses the Court.

I shall therefore content myself with disproving the whole of the charges he has so unjustly preferred against me to His Majesty's Secretary of State, and which, gentlemen, I have the supreme happiness of assuring you I will do to your entire satisfaction.

D. WENTWORTH,
Ass't Surgeon.

Thomas Jamison, Esquire, Principal Surgeon, called by the prisoner and sworn :—

Q. *by Prisoner.* Did I, in or about the 18th April last, represent to you that I had been refused by the late Governor Bligh to have two Government servants allowed me off the stores to take care of two of my own horses that I found necessary to keep to carry on my duty ?—A. I recollect the representation perfectly, but cannot say if on that day.

The evidence of the Principal Surgeon.

* The depositions were sent Home by Bligh with his letter of 31st October, 1807, ante, p. 369.

† There is nothing in the *Records* to indicate the nature of the private disagreement between Bligh and Wentworth, at which the latter here hints.

1808

17 Feb.

Q. Did you not wait on the late Governor in consequence of my representation, and what answer did you receive?—*A.* I did, and the Governor informed me that you should not have a servant off the stores.

Q. Did I not receive orders from you to visit the sick at Castle Hill once a week, or oftener if necessary?—*A.* I received such directions to that effect officially from the Governor and communicated them by letter to you.

Government
servants
refused to
Wentworth.

Q. Did I not represent to you the hardship of being refused to get servants off the store, when the Governor even allowed my predecessor, Mr. Mileham, to make use of the convalescent patients for his domestic purposes?—*A.* I remember the observation being made by you, and said that if Mr. Mileham had been sanctioned by Governor Bligh there could be no impropriety in your doing the same.

Q. Did you at any time after this conversation give me either written or verbal orders not to employ the convalescent patients in any way I thought proper?—*No.*

James Mileham Esquire, Assistant Surgeon, sworn :—

Went-
worth's
medical
duties.

Q. by the Prisoner. State to the Court what public situation you held in Parramatta on the 14th April last?—*A.* Doing the duty of Assistant Surgeon and in charge of the hospital.

Q. Was you not under the necessity of visiting the sick at Castle Hill, distant nine miles, and several other distant places, and was you not obliged to use your own horses for that duty?—*A.* I was.

Employ-
ment of con-
valescents.

Q. Did not the late Governor Bligh allow you to employ the convalescent patients under your care as you thought proper for your domestic purposes?—*A.* On the Governor's first visiting the hospital under my charge I made him acquainted that I employed certain patients who were convalescent for my private convenience which the Governor approved of by saying, "He wished to make my situation respectable."

Q. Has it not been the practice since you have been doing the duty as Assistant Surgeon for yourself and the Principal Surgeon, under every Governor, to employ the convalescent patients in any way you thought proper, with the knowledge of the Governor?—*A.* Yes.

Q. Did you not, during the time the colony was much distressed for provision, and you had the charge of the hospital, allow some convalescent patients to come to my house; if so, what were your motives for so doing?—*A.* I did allow some convalescent patients to go to do light work for you to obtain some provisions, they not having sufficient allowance from my hospital.

Q. Do you not know that I often employ the hospital gardeners in their own time, and that I always pay them for their labour?—*A.* I do, and have been present when you have paid them.

Rich'd Rouse, Superintendent, sworn :—

Evidence of
superinten-
dents.

Q. by the Prisoner. During the time I have had charge of the hospital at Parramatta, and you have had the direction of the public yard, have I ever improperly kept any Government servant in the hospital list, or refused to take anyone into the hospital who was a fit object belonging to your department?—*A.* No; not one.

George Mealmaker, Superintendent of Weaving Flax and Wool, sworn :—

Q. During the time you have acted as superintendant, while I had charge of the Parramatta Hospital, do you know of any instance of my having kept any man or woman under your direction longer in the hospital list than was necessary, or ever refused to take a proper object into the hospital?—*A.* I do not.

Court adjourned till 9 o'clock to-morrow, 18th February.

Court met.

Richard Atkins, Esquire, late Judge-Advocate, sworn :—

1808

Q. by Prisoner. Was you enjoined to secrecy by the late Governor about the depositions taken by you from Oakes and Beldon against me?—*A.* I was, sometime subsequent to Mr. Wentworth's Court-Martial. I was sent for by the Governor, I think, about ten o'clock in the morning. He took me into a small office, and told me there were some depositions which he wished me to swear Oakes and Beldon to, and sent for Oakes first. I read the questions to Oakes, which to the best of my recollection were in the handwriting of the Governor's secretary, and the written answers, which Oakes said were correct, and I swore him to them, after which Beldon was sent for, when I read the whole of the questions and the answers signed by Oakes to him, and Beldon said the whole of them were correct, and I believe Beldon signed them.

17 Feb.

Evidence of the Judge-Advocate.

Obtaining evidence against Wentworth.

Q. Have I not been frequently in the habit of attending you as a medical man, and have I not at all times been attentive to you?—*A.* No man could have been more attentive to me as a medical man.

Q. from the Court: Was either Oakes or Beldon, at the time the depositions were made against Mr. Wentworth, enjoined to secrecy by the late Governor?—*A.* I do not know; it appeared to me that it was done with secrecy.

A secret examination.

Q. Is it not consistent with equity, when depositions are taken against any person, to make the person accused acquainted with them?—*A.* No doubt; but, being enjoined to secrecy by the Governor, I did not feel myself warrantable in giving the information to Mr. Wentworth.

The prisoner calls on the President and the Judge-Advocate to speak to his conduct as a medical man for many years back.

An appeal to the Court.

Captain Kemp, the President, states he has known Mr. Wentworth thirteen years, and has always considered him particularly attentive to his duty, and correct in his conduct as an officer.

The Judge-Advocate states he has known the prisoner upwards of seventeen years, and that he has in every instance within his knowledge conducted himself as a medical man and officer with the strictest propriety.

The Court, having maturely and deliberately considered the evidence for and against the prisoner, as well as what he had to offer in his defence, is of opinion that the prisoner is not guilty on the first charge or second charge, and do, therefore, honorably acquit him. The Court, adverting to what has appeared in evidence in the course of this trial, feel themselves called on by a sense of duty to express their pointed disapprobation of the novel and unprecedented measure of taking private depositions against an officer, to be transmitted to His Majesty's Ministers, without allowing the party accused an opportunity to defend himself.

A full acquittal.

ANTHONY FENN KEMP,
Capt'n and President.

GOVERNMENT AND GENERAL ORDER.

18th February, 1808.

18 Feb.

ALTHOUGH the Lieutenant-Governor perfectly approves of the sentiments expressed by the Court-Martial respecting the charge against Mr. D'Arcy Wentworth, His Honor declines, under the existing circumstances, to insert more of it in the General Orders than that part which expresses that the prisoner is not guilty on the first charge or second charge, and do therefore honorably acquit him.

The acquittal of Wentworth.

The Court-Martial is dissolved, and Mr. D'Arcy Wentworth is to return to his duty.

1808

ROBERT CAMPBELL TO GOVERNOR BLIGH. (Bligh Papers.)

Sydney, New South Wales,

18 Feb.

Sir,

18th February, 1808.

Johnston's
charges
against
Bligh.

An
invention.

Campbell's
account of
the colony
under Bligh.

Having perused Major Johnston's written message to your Excellency of the 28th ult'o,* as delivered by Mr. Nicholas Bayly, Captain Abbot, Mr. Surgeon Jamieson, and Mr. Garnham Blaxcell, composing the committee for that purpose, accusing you of having acted on a settled plan to subvert the laws, terrify and influence the Courts of Justice, and to deprive every person who had the misfortune of being obnoxious to you of their property, liberty, and lives, I beg leave to express my indignation and contempt at so palpable a falsehood, invented, I am convinced, for to deceive the British Government, and to afford the officers of the New South Wales Corps a renewal of their disgraceful and degrading practices your wise and judicious Regulations had so much curtailed.

I can assure you, sir, the happiest effects were experienced from those Regulations; and in place of subverting the laws, I have observed on all occasions your anxiety for forming the Courts of Justice according to the Patent; and where the laws of England was defective, owing to the peculiar situation of the colony, your Excellency made such local ordinances as tended to promote its prosperity, subjecting the rich as well as the poor to the laws of their country; but by your attempting to put a stop to the nefarious practice of bartering spirits, and to abolish the fictitious paper currency that was forced on the industrious settler, in payment of the commodities he brought to market, you dissatisfied many of the officers and other individuals that had acquired immense fortunes by the infamous practices, and when it was checked, they thought proper to dispossess you of the command, asserting your government was no longer supportable.

Commerce
improves.

The mercantile community are deeply indebted to your salutary acts respecting commerce, for the masters of ships could not abandon the property of the owners that was entrusted to their charge; the grog-shops were no longer the receptacles for harbouring seamen, nor was the merchant compelled to dispose of his merchandize but as he pleased, spirituous liquor excepted.

Justice
impartially
adminis-
tered.

During the short period I acted as a magistrate I perceived that you invariably referr'd the numerous complaints that were made to you by the inhabitants to the Bench of Justices or to Mr. Atkins; but I never knew an instance of your terrifying the Courts, unless your having censured the Judge-Advocate's conduct for his delay in administering justice, or the partiality he observed to his favourites, could be construed into such, and which, I am sorry to say, many a poor individual had cause to lament. For these reasons I ardently hope His Majesty's Ministers may see [the]

* Ante, p. 455.

justice of your Excellency's cause, and by restoring [you] to the command we may again enjoy tranquility and industry with all its attendant blessings, and which the present distracted and lamentable state of the colony so imeriously [? imperiously] demands.

1808
18 Feb.

I have, &c.,
ROB'T CAMPBELL.

GOVERNMENT AND GENERAL ORDER.

[Extract.]

19th February, 1808.

19 Feb.

Mr. William Sherwin is appointed to do duty as storekeeper at Parramatta.

William
Sherwin.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

19th February, 1808.

I AM directed by His Honor the Lieut.-Governor, in answer to your letter of the 17th inst.,* to say that he has no authority to interfere with any of the persons you have named as necessary to attend you to England, except those who have His Majesty's commission, and that he should not consider himself justified even to order them, unless for very sufficient and satisfactory reasons assigned by you. If, however, any of those persons should chuse voluntarily to attend you, His Honor will use every effort, consistent with economy, to procure them a passage.

Bligh's
witnesses.

I have shown the bill to His Honor, given in for stonemason's work, who is of opinion that it is a gross imposition, and ought not in the slightest degree to be attended to.

NICHOLAS BAYLY.

GOVERNMENT AND GENERAL ORDER.

22nd February, 1808.

22 Feb.

CHARLES GRIMES, Esq're, is appointed notary public to the colony.

Grimes
notary
public.

* * * * *

GOVERNMENT AND GENERAL ORDER.

23rd February, 1808.

23 Feb.

A MUSTER will be taken of all the men, women, and children—except the military—victualled from His Majesty's stores at Sydney, on Thursday, the 25th inst., and those victualled at Parramatta on Saturday, the 27th inst. The muster will commence at ten o'clock on Thursday morning, at the house of G. Blaxcell, Esq're, and at Government House, Parramatta, on Saturday morning, at ten o'clock.

A genera
muster.

Charles Throsby, Esq're, is appointed magistrate for Newcastle and the parts adjacent; and he is to be obeyed and respected accordingly.

Throsby
magistrate
at
Newcastle.

* Ante, p. 521.

1808

GOVERNMENT AND GENERAL ORDER.

24 Feb.

24th February, 1808.

Spirits for
the soldiers.

THE Lieutenant-Governor having purchased six hundred gallons of spirits for the supply of the non-commissioned officers and privates of the Corps, the same will be issued to them in the quantity of one gill to each man per day, for which they will be charged at the rate of six shillings and ninepence per gallon, the first serving to commence on Monday, the 29th instant.

and
pantaloons.

The present distressed state of the Corps for necessaries, which cannot be purchased from any private individuals in the colony, has induced the Lieut.-Governor to order 450 duck frocks may be supplied from His Majesty's stores to make each non-commissioned officer and private a pair of pantaloons.

The Acting-Commissary will therefore immediately issue 450 frocks, for which the officers paying companies will pay the Acting-Commissary the established price.

GOVERNMENT AND GENERAL ORDER.

1 March,

1st March, 1808.

Lawson a
magistrate.

WILLIAM LAWSON, Esquire, is appointed a magistrate for the county of Cumberland. He is to be obeyed and respected as such.

THE CASE OF W'M GORE.

Examination of Captain Kemp before a Bench of Magistrates,
March 1st, 1808.

Q. You was a member of the Court of Criminal Jurisdiction assembled on the 25th January?—A. I was the senior member.

Q. Did you, on the evening of that day, previous to your adjournment, inform Will'm Gore, Esq re, then Provost-Marshal, that you had surrendered me^e to my bail?—A. Before the Court adjourned I made a particular point of acquainting Mr. Gore that the Court had remanded the prisoner, John McArthur, Esq're, to his former bail. He signified his assent by making a bow.

Q. by Mr Gore.—At what time between the meeting and the adjournment of the Court was it that you informed me of the surrender of John McArthur, Esq're, to his bail?—A. To the best of my recollection, it was between the hours of three and four o'clock.

Taken before Tho's Jamison and John Blaxland, Esq'r's, on the above-mentioned day. A. F. KEMP.

COMMISSARY PALMER TO GOVERNOR BLIGH. (Bligh Papers.)

2 March.

Sir,

Sydney, 2nd March, 1808.

Palmer on
the adminis-
tration of
public affairs
under Bligh.

The late unjust and unprecedented act of seizing your Excellency's person and confining you under a military guard, depriving this colony of the blessings all good people felt under your government, has given every loyal mind the deepest concern at seeing the representative of our gracious King so deprived of

* Although there is nothing on the face of the document to show who conducted the examination, it is evident from this question that it must have been John Macarthur.

his liberty. I have lately read a charge against you, fabricated, as it appears to me, in order to palliate their crime, wherein it is stated that you acted upon a settled plan of subverting the laws, terrifying and influencing the Courts of Justice, and of depriving every person who had the unhappiness to be obnoxious to you of their property, liberty, and lives.*

1808

2 March.

As to subverting the laws, that must depend on the public Orders which you have issued, all of which appear to me to be calculated to promote impartial justice between man and man, and to encourage industry and to secure property lawfully and fairly acquired.

Palmer's
opinion of
Bligh's
Orders.

As to terrifying and influencing the Courts of Justice, I know of no instance, and I am sure no such instances occurred; for I always found you anxious that the Courts should be formed as directed by the Patent, and that their decisions should be conformable to the laws of England and local Regulations of the colony. Your Excellency's fair and upright conduct and principles were obnoxious to a set of men who wished to prey upon the vitals of their neighbours, who wished to promote faction instead of law, and under the sacred sanction of an oath endeavoured to screen their corrupt decisions in favour of one another, and to deprive their weaker fellow-subjects of their lawful rights. They could screen one another's crimes from just punishment—their perjuries, their extortions, and their seditions—when every honest and uncorrupt man was—unblushing effrontery—charged with these crimes, some of them punished, disgraced, and persecuted as much as possible in order to reduce their morality to their infamous standing; and when they had degraded their nature and principles they called them good men. Your Excellency was determined to correct these abuses, and to subject the rich as well as poor to the laws; but this they call a settled plan of depriving them of their property, liberty, and lives.

The adminis-
tration of
justice.

A tirade
against
Bligh's
enemies.

I have, &c.,

JNO. PALMER,
Commissary.

GOVERNMENT AND GENERAL ORDER.

3rd March, 1808.

3 March.

THE Lieutenant-Governor cannot too strongly express his approbation of the disinterested offer made by the Loyal Sydney Association to serve without claiming any rations from Government; and he assures them that he will never lose an opportunity to do anything in his power to promote their welfare, or to give them a compensation for the patriotic sacrifice which they have made in a manner so honorable to themselves.

The Loyal
Association.

* The document to which Palmer refers is evidently Bayly's letter to Bligh of 28th January, 1808, ante, p. 455. This letter of Palmer, and also those of Campbell, ante, p. 528; Arndell, post, p. 532; Fulton, post, p. 639; Gore, post, p. 644; and, to a lesser degree, that of Mason, post, p. 702, appear to have been prompted by a request (now lost) by Bligh.

1808

3 March.

Lieutenant Thomas Moore is promoted to the rank of captain and commandant, *vice* Rich'd Atkins, Esq.

The Acting-Commissary will cease in future to serve rations to the Loyal Sydney Association.

The magistracy.

All complaints are to be made before the magistrate for the week every morning at ten o'clock, except on Tuesdays and Saturdays, on which days a full brevet will assemble.

VISCOUNT CASTLEREAGH TO GOVERNOR BLIGH.

4 March.

Sir,

Downing-street, 4th March, 1808.

Thomas Kent a settler for Van Diemen's Land.

Mr. Thomas Kent,* who has been strongly recommended to me by Mr. Thornton, having applied for permission to proceed to Port Dalrymple as a settler, his request has been acceded to, and I am to desire you will give him every encouragement to which he may appear entitled. You will cause a grant of 600 acres of land to be made out to him, in such situation as he may fix upon with your approbation, subject to the usual reservations; and that you will allow him the use of 6 convicts, which, with himself and servant, are to be victualled from the Government stores for 18 months. You will also permit him to land 6 casks of rum, and 2 casks of wine, and allow him to purchase from the Government stores 8 cows, 1 bull, 3 oxen, and 2 sows for which he is to pay in money on the spot.

Mr. Kent engages to employ in the settlement a capital of from £600 to £1,000, which, in the event of his speculation turning to advantage, he proposes to increase considerably.

I am, &c.,

CASTLEREAGH.

THOMAS ARNDELL TO GOVERNOR BLIGH. (Bligh Papers.)

6 March.

Sir,

Sydney, 6th March, 1808.

Arndell on Bligh's enemies.

It has been matter of grief and disappointment to me, as well as the majority of the inhabitants of this colony, that your Excellency has been deprived of your authority, and placed in confinement and restraint under a military guard, by a body of ambitious and discontented men who wish to govern this territory in a manner that will suit their own private advantage and gratify their avarice and lust of power, without any respect to the English nation or Government, to common honesty, morality, religion, or justice. They have said that they have deprived you of your command because you were charged with crimes which rendered you unfit to govern one single moment longer in this colony. But what were these crimes? You wished to bring to justice John McArthur, who, in the most contemptuous manner, had bid defiance to His Majesty's Government in this colony; and when six officers of the New South Wales Corps, excited by private conversation and a seditious speech of the said McArthur's, had acted

One cause of Bligh's arrest.

* See Kent's letter, and ex-Governor King's endorsement, ante, 384.

in an unlawful manner, you were determined to resist such proceedings in a lawful way. These were the immediate crimes which caused your confinement; but as they dare not openly avow these as the crimes they alledged, after the deed was done they proceeded, by the terror of military execution, to extort from your friends something on which they might found more plausible charges to palliate the enormity of their wickedness. By this terror I was, through weakness, induced to sign a paper which my heart and better judgment abhorred.* Your salutary Regulations in preventing the barter of spirits—an iniquitous traffick which raised one order of men on the ruins of another—and on the general injuiy of the colony at large, and the prohibition which you issued to a certain species of Colonial currency by which monopoly, extortion and forestaling were greatly restrained, were the true cause of their rage and discontent. In order to enforce these Regulations the better, you endeavoured to have the Courts of Justice formed according to the Patent, and you shewed your pointed disapprobation to partiality and delay in their proceedings. You endeavour to subject the rich as well as the poor to the laws of the colony, and these measures they have stiled a settled plan of subverting the laws, terrifying and influencing the Courts of Justice, and depriving every one who had the misfortune to be obnoxious to you of their property, liberties, and lives. I have the honour to be, with unfeigned respect,

Yours &c.,

THOS. ARNDALL.

GOVERNMENT AND GENERAL ORDER.

7th March, 1808.

7 March.

THE Court of Criminal Judicature ordered to assemble on Tuesday, the 8th instant, will not assemble until further orders, in consequence of the indisposition of Captain Abbott, one of the members.

The Criminal Court.

The Acting-Commissary will issue from His Majesty's stores to the Quartermaster-serjeant of the New South Wales Corps the two hundred shirts remaining in the store, and two hundred and fifty duck frocks for the use of the non-commissioned officers and privates. The Acting-Commissary will charge the usual price for the shirts and frocks, which are to be paid for by the officers paying companies.

Shirts for the soldiers.

His Honor, the Lieutenant-Governor, taking into consideration the high price of fuel and the distress of the poor inhabitants for that indispensable necessary of life, hereby directs that all duties upon coals† shall cease from this day, and that no other charge shall be made upon coals at Newcastle than ten shillings per ton, which is to be considered as a price paid to defray the expence of receiving them from the mines.

Free-trade in coals.

* The paper referred to was doubtless the address to Johnston of 30th January, 1808, ante, p. 458. Arndell's name was not to the address of 8th March, 1808, post, p. 534. Captain Abbott, at the trial of Lieutenant-Colonel Johnston, stated that Arndell, in his opinion, was a man who would sign almost any paper. See Arndell to Griffen, post, p. 574.

† See the list of dues and fees, vol. v, p. 364.

1808

ADDRESS TO MAJOR JOHNSTON.

3 March.

Honoured Sir,

Sydney, 8th March, 1808.

Thanks to
Johnston.

Having for a number of years experienced your Honour's benign disposition towards the inhabitants of this colony, we feel ourselves constrained to make our humble and heartfelt thanks on the recent interesting occasion.

We cannot sufficiently admire the promptitude and decision with which the important affair was conducted ; and we congratulate you, the officers, and New South Wales Corps in general, on the agreeable change.

Promises of
support.

We are aware of your Honour's aversion to flattery ; but feeling ourselves relieved from an impending danger, we should consider ourselves culpably remiss in duty did we not now step forward to acknowledge the obligation and offer, if necessary, our support to the extent of our property and lives.

A recanta-
tion.Trepanning
the unwary.

Having due respect to Government and power, we have ever, as well-affected subjects, paid due respect to Gov'r Bligh, and some of us have unwarily signed an address* to him, praying his interest with the King-in-Council to obtain free-trade and trial by jury (our late system and restrictions on trade having been long felt by every class of people), the complimentary part of which address we rather considered as what he *ought to be* than *what he was*, and were not aware of the interested views of the framers of said address, which, upon reflection, were self-evident, and who chose the interesting objects of free-trade and trial by jury to trepan the unwary inhabitants to compliment Gov'r Bligh ; nor did some of us, from our situations and occupations, till lately consider the impropriety of his conduct and the dangerous precipice on which we stood, a general conviction of which induced us to crave your immediate protection, considering our lives and property unsafe, either from the late Governor or his counsellors. We do not, sir, stand forward to subvert the laws of our country, but in their support. We do not revolt against our King and Government, but against those who have subverted the power delegated to them by our most revered Sovereign, and have thereby abused our constitution—the boast of our mother country.

Proofs of
loyalty.

We have on a former occasion,† under your Honour, and in conjunction with your troops, proved our loyal and patriotic disposition in suppressing the disaffected, and in support of Government and Governor of this territory, and we trust our conduct will continue such as may long entitle us to Great Britain's fostering breast, and such as will tend to prolong for ages a mutual interest and union with her, to the honour of those and their posterity who have fortunately now stepped forward to the suppression of tyranny.

* See the address of 1st January, 1808, ante, p. 410.

† Apparently a reference to the suppression of the convict revolt in March, 1804, vol. v, p. 345.

This memorable day, made now more memorable, makes twenty years since some of us landed with your Honour on these distant shores.* Your conduct has been uniformly *manly* and *humane*, and we exult in having an opportunity of *expressing* our sentiments, and of *confirming* their *sincerity* by *readily* and *cheerfully* putting ourselves under your protection. 1808
8 March.

As we have already signed a general address† of thanks for your manly and spirited conduct, we hope you will not consider this an intrusive repetition; the former was the result of a moment, and not so fully expressive of our sentiments as our gratitude would suggest. This, sir, is a confirmation and the result of deliberate and mature consid' on approving the former, and with confidence in your Honour's impartial administ'n of justice, and that none will in future be deprived of their liberty or property, but by a due course of law. A previous address.

We have the satisfaction to affirm that our sentiments herein are the sentiments of the free inhabitants in general, and that we do not exult in the depression of our enemies, but in having escaped their evil machinations, which would have tended much to hinder the prosperity and improvement of the colony.

We now rest assured we shall see industry and morality encouraged, vice punished with firmness, though not with rigour, and the colony long continue a free, flourishing, loyal, and happy people.

[Signed by about 210 officials and inhabitants.]

GENERAL Statement of the inhabitants of His Majesty's Settlement at Port Dalrymple, Van Diemen's Land, this 12th March, 1808. 12 March.

Civil Establishment.—1 Lieut.-Governor, 1 surgeon, 1 assistant surgeon, 1 deputy commissary, 1 deputy surveyor, 2 superintendents, 2 storekeepers, 2 women, 3 children above 2 years; total civil establishment vict'd, 14. Population of Port Dalrymple.

Military Establishment.—1 lieutenant, 2 ensigns, 4 serjeants, 2 corporals, 2 drummers, 51 rank and file, 12 wives of military, &c., 3 children of 10 years, 12 children above 2 years, 7 children under 2 years; total number victualled, 96.

Settlers and Free People.—3 men, 12 women; total number victualled, 15.

Emancipated.—1 man, 1 woman; total, 2.

Prisoners.—103 men, 5 women, 1 child about 10 years, 2 children above 2 years, 4 children under 2 years; total number victualled, 115.

Total number of persons victualled.—178 men, 36 women and children above 10 years, 15 children at $\frac{1}{2}$, 13 children at $\frac{1}{4}$; total number of full rations, 213.

Total number of souls in the settlement, 242.

PRINCIPAL SURGEON JAMISON TO MAJOR JOHNSTON.

Sir, Sydney, 12th March, 1808.

Although I derived much satisfaction from the letter of the 12th February,‡ which you directed your secretary to write me, I deem it further necessary, in order to justify my character (so dear Jamison in defence.

* Johnston arrived with Phillip as a Lieutenant of Marines.

† See the addresses of 27th January, 1808, ante, p. 454, and 30th January, ante, p. 458.

‡ See Bayly to Jamison, p. 518, ante, and Jamison's previous letters, ante, pp. 516 and 520.

1808 to me) to Government, to use all the means in my power to accomplish that purpose, on which account I beg leave to trespass more upon you. 508.

Bligh's charges.

Effect on Secretary of State.

Bligh withholds trial.

Jamison asks for papers to be sent Home.

I have, sir, too high an opinion of the honor and probity of His Majesty's Ministers to fancy for a moment they would be inclined to do or believe anything injurious to the reputation of a man without first affording him the opportunity of replying. Still, sir, a representation conveyed to them, in a public letter from the Governor of a colony, of so strong and serious a nature as that made by Governor Bligh against me, I confess myself a little alarmed lest it should impress His Majesty's Ministers' minds with distrust as to my honor and allegiance. No doubt they do not suspect the validity of the representation, as they are not in the habit of receiving false and malicious insinuations from Governors against any of His Majesty's servants.

Had I been guilty of the crimes imputed to me, why did not the Governor bring me to trial? This he knew would not answer his purpose, as, before men of honor, the innocent have nothing to fear; but my accuser chose to pursue a method more secret, from which it was impossible for me to fend, because I was ignorant of any accusation. I trust his insidious attack, intended to ruin my reputation, will fall on his own guilty shoulders.

I have now, sir, to request you will be so good to transmit this letter to His Majesty's Principal Secretary of State for the Colonies with the enclosed correspondence* which I have had the honor of holding with you on the present subject. That, I hope, and such other testimony as I shall apply for in England from the gentlemen I have had the honor of serving under in this colony (from the time the colony was first settled), will, I trust, exonerate me from the vile charges I am so unjustly accused of. At the same time, I trust His Majesty will be graciously pleased to afford me the means of obtaining that justice which His Majesty is at all times so ready to grant to officers embarked in the service of the Crown.

I have, &c.,

THOS. JAMISON,
Principal Surgeon.

LIEUTENANT-COLONEL PATERSON TO MAJOR JOHNSTON.

Port Dalrymple, Van Dieman's Land,

Sir,

12th March, 1808.

Paterson on the arrest of Bligh.

I have to acknowledge the receipt of your dispatch of the 2nd ulto.,† acquainting me with the change you state you have conceived it necessary to make in the government at Port Jackson.

Removed from the possibility of being able to offer an opinion, or judge of the momentous events you relate, I can only express

* See Jamison's letters, ante, pp. 516 and 520, and Bayly's, ante, p. 518.

† Not available.

my hope that the steps you have subsequently taken, and are now years : and may prove for the benefit of His Majesty's service ; and I shores. I add that, however I would wish to avoid the necessity and unforeseen causes peremptorily impose, there remains to me no means, so pursue but the one I have explained to His Majesty's putting in my dispatch to him of this date, it is my intention to adopt, for my perseverance in which I consider my future character, and the enjoyment of His Majesty's countenance, at stake.

1878

2 March.

I therefore have to beg you will, as immediately as possible, cause to be despatched to me a vessel of sufficient capacity to convey myself and family to the headquarters of the regiment I have the honor to command in New South Wales, and of the government of these His Majesty's territories, which I should particularly wish to be His Majesty's ship the Porpoise ; but, if circumstances absolutely prevent her coming, I would wish to have chartered any vessel adapted that may be or should arrive in the harbour, for the payment of which I will draw bills on the Treasury.

Paterson
asks for a
conveyance
to Sydney,

By the opportunity of the vessel you may send for the purpose I point out, such supplies as are immediately wanted for the use of this settlement can be conveyed, which I would recommend you to give directions should be the case, more particularly clothing, about three months dry provisions for 250 rations, an augmentation to the detachment, and a small addition to the number of prisoners. I mention these, as another means may not present itself before the expiration of the winter.

and for more
provisions
and men.

I have enclosed a letter to Captain Symons, should you judge such necessary to send him.

"I think it necessary to further state that I do not at present propose making any particular change in the arrangement you have formed at Sydney until I may hear from His Majesty's Ministers.

I am, &c.,

W. PATERSON.

P.S.—I have omitted to state that I have acquainted the Duke of York of my intentions, enclosing His Royal Highness a copy of my dispatch to yourself and to the Minister.

The Com-
mander-in-
Chief
informed.

I have further omitted to state that, although from the experience I have myself hitherto had of your public conduct, I have not any reason to suppose you will neglect to fulfil my requisition of immediately despatching a vessel ; yet, as I conceive I shall be unable to justify myself to the Crown if I neglect to provide against all possibilities of a prevention of my taking the command at Sydney, I have directed my agent at Port Jackson, in the event of your not forwarding me a conveyance within one month from your receipt of my present dispatch, to take up, at the expence of the Crown, any vessel he can procure ; and should no arrival capable of transporting me hence take place in three months from this

A vessel to
be sent at
once.

1808 date, I shall, concluding I am not to expect one from Port Jackson,
 12 March. despatch an officer to the settlement at the Derwent, to charter
 — round the first ship, in the name of His Majesty, that may come
 Paterson will lose no time. in.—W.P.

LIEUTENANT-COLONEL PATERSON TO VISCOUNT CASTLEREAGH
 Port Dalrymple, Van Dieman's Land,

My Lord,

12th March, 1808.

Paterson
 informs
 Castlereagh
 of Bligh's
 arrest.

I have the honor to inform your Lordship of having received a despatch, dated the 2nd ulto.,* from Major Johnston, the officer I left at Sydney in the charge of the regiment I have the honor to command in New South Wales, when directed by the late Governor King to proceed to form this settlement, stating to me that he has judged it necessary to put His Excellency Governor Bligh under arrest, to annul the power His Majesty has vested in him, to make an entire change in the Government of the territory, and to himself assume the command.

Distant as I am from the scene of the events that have taken place, and unacquainted with their immediate causes, I cannot venture to offer an opinion on their serious nature.

He decides
 to proceed
 to Sydney.

I feel, however, that great and imperious duties immediately devolve on me, and that I shall not be justified to His Majesty, or discharge the duty I owe him, unless, from the calls and prerogative of my superior civil and military rank, I instantly repair to Port Jackson, however arduous and critical the task before me must be of taking the command under the particular circumstances that have occasioned it; but I am sensible how much [I] should expose my conduct to reprehension, of the injury I should do the service in general, and of the impropriety I should commit of quietly remaining here, in the direction of only a single company of the regiment I command, and of absolutely only 100 prisoners, while the whole of His Majesty's important territories in this part of the world, in a moment of the utmost consequence to their future welfare, are in the charge of a junior officer.

Awaiting a
 suitable
 conveyance.

I have, therefore, the honor to inform your Lordship that I should have returned to headquarters by the vessel that has brought me the intelligence, but that her size, being only a small oiling sloop, prevents it. I have, however, forwarded by her the enclosed letter to Major Johnston, which I doubt not but he would pay immediate attention to, and I shall on my arrival directly acquaint your Lordship, for the information of His Majesty, of the same.

Rapid
 progress of
 Port
 Dalrymple.

I have further to acquaint your Lordship that, as far as the means afforded me have enabled, this settlement is successfully established; that its stock, of which I enclose a return (with a statement of the inhabitants),† thrive in the most rapid manner;

* This letter is not available.

† The statement of inhabitants will be found on p. 535, ante, but the return of stock is not available.

and that the produce of the harvest this season offers the greatest encouragement to the cultivators. I shall, therefore, leave it in the hands of a trusty officer, so arranged that the objects of His Majesty's Government in forming it can be realized when I receive any further instructions. 1808
12 March.

I have every reason to hope and to be assured that His Majesty will be graciously pleased to approve the step I am taking, to which I have only to add I am impelled by a sense of its being immediately my absolute duty.

I have, &c ,

WM. PATERSON, L.-C.,

Lieut.-Gov'r of His Majesty's territories in New South Wales by
H.M. Commission of 1801, and Lt.-Col. Commanding New
South Wales Corps.*

MAJOR JOHNSTON TO LIEUTENANT SYMONS.†

Sir, Headquarters, Sydney, 16th March, 1808. 16 March.

The disappointments I have experienced in my endeavours to procure a passage to England with suitable accommodations for the late Governor and his family, have left me no alternative but that of requesting you will be pleased to inform me whether the rules and regulations of the naval service will admit of your receiving him on board His Majesty's ship Porpoise, for the purpose of conveying him to England in arrest; and if you should be of opinion that you can receive him on board, I shall be thankful if you will have the goodness to acquaint me what accommodations can be spared. Proposal to
send Bligh
Home in the
Porpoise.

I am, &c.,

GEORGE JOHNSTON.

LIEUTENANT SYMONS TO MAJOR JOHNSTON.

His Majesty's Ship Porpoise,

Sir, Sydney Cove, 16th March, 1808.

In answer to your letter of this day's date, I have to inform you that when Capt' Bligh comes on board His Majesty's ship Porpoise I must consider him as first captain, and am ready to receive him when you may think proper. Symons
will receive
him as first
captain.

I further beg leave to inform you that half the Commander's accommodation belong to him.

I have, &c.,

J. SYMONS.

GOVERNMENT AND GENERAL ORDER.

16th March, 1808.

PERSONS wanting to obtain supplies from His Majesty's stores on their private account are to apply to the Lieu't-Governor on Monday before ten o'clock in the morning. Any applications made at any other times will not be attended to. Private
supplies
from H.M.
stores.

* The signature and titles, but not the body of the letter, are in Paterson's handwriting.

† It is noteworthy that while Johnston communicated with Bligh only through his secretary, yet many of his letters to subordinate officers were under his own hand.

1808

NICHOLAS BAYLY TO GOVERNOR BLIGH.

19 March.

Sir,

Sydney, 19th March, 1808.

Repairs to
the Pegasus.

I am commanded by His Honor, the Lieut'-Governor, to inform you that the objections expressed in your letter of the 11th ult'o* against the Pegasus occas'd him to defer making any conclusive agreement for the hire of that vessel until her repairs should be completed, and he should be enabled, by the report of experienced officers and ship carpenters, to form a correct opinion of her condition.

A survey has in consequence been held upon her, and a favourable report has been made; but, as circumstances have arisen which have induced her owners to decline freighting her to Government, the Lieut'-Gov'r has directed me to enclose a copy of the order and report of survey that you may be satisfied he never entertained a thought of sending you Home in an insecure ship.

Bligh's
departure to
be hastened.

I am further ordered to express the L't-Governor's great regret that none of the ships have arrived what you appear to have expected this month, and to inform you that as the winter season is advancing he considers himself obliged to hasten your departure.

H.M.S.
Porpoise
only
available.

You are aware, sir, that the choice of means to carry this measure into effect is extremely circumscribed, and that there is no ship in this port on board which you and your family can be comfortably accommodated, except His Majesty's ship Porpoise.

Will he
surrender
his right of
command?

The accompanying copy of a letter† to the Acting Commander of His Majesty's ship, and that of his reply‡ will convince you that there are insuperable objections to your going on board the Porpoise, unless at your own particular request, and under a solemn engagement on your word of honor as an officer that you will not attempt to assume any command, and that you will consider yourself in arrest until His Majesty's pleasure shall be signified on your late supercession. On these conditions being acquiesced in, the Lieutenant-Governor has commanded me to inform you that a requisition shall be made to Captain Symons to receive you and your family on board, and to proceed to England; but, should you think it proper or prudent to reject this arrangement, much as the Lieut'-Governor will regret separating you from your family, and being obliged to put you on board a vessel in which he cannot procure you suitable accommodations, yet a sense of duty, arising from a regard to the welfare of the colony and the honor of His Majesty's service, leaves him no choice but that of sending you Home in the ship Dart, now ready to sail.

I have, &c.,

N. BAYLY,
Secretary.

* Ante, p. 517.

† See Johnston to Symons, 16th March, 1808, ante p. 539.

‡ See Symons to Johnston, 16th March, 1808, ante p. 539, in which Symons states that he could only receive Bligh as his superior officer, and, of course, in that case, would yield to him the command of the vessel—in Johnston's mind an "insuperable objection."

If not, he
must go in
the Dart.

EX-GOVERNOR KING TO UNDER-SECRETARY COOKE.

1808

Sir,

Norton-street, 20th March, 1808.

20 March.

I have deferred making this application until my recovery from the reduced state I continue in ; but the period of my being able to leave the house, from the extreme debility I labour under, I hope you will excuse the liberty I take in trespassing on your time by requesting your sentiments on the subject I am about to state.

Phillip
Gidley
King's fall-
ing health.

Previous to my return to New South Wales in 1799, my friend, Governor Phillip, considering he had a claim for a proportion of the numerous increase of cattle that strayed from the settlement in 1787 [? 1788], half of which were the property of the Crown, and half the individual property of Governor Phillip by purchase at the Cape of Good Hope, made over his proportion of claim to me, for the benefit of my family, by a paper of which the enclosed is a copy,* which I noways interested myself about until I found it was probable I should be allowed the leave of absence I had requested in my letter to Lord Hobart, dated May 9th, 1803†, in consequence of which I made the application, of which the enclosed is a copy of my letter to Lord Hobart on that subject, dated March 15th, 1804.‡

His claim for
Phillip's
share of the
lost cattle.

Not having received any answer on this application in June, 1805, and considering that my family would loose every hope of a future claim if some arrangement was not made previous to my leaving the colony, I conceived it would be admissable for me to receive a small proportion of tame cattle from Government herds on the conditional exchange for Governor Phillip's claim being relinquished. In my letter of July 20th, 1805,§ I had the honor of informing my Lord Camden that I had so done, on the condition of its being approved of, all which documents, as well as my order to the Commissary, were transmitted to England by the Calcutta and Ferret.

A number
taken from
the tame
cattle in
liquidation
of claim.

The following is a statement of the numbers secured and the increase to the date of my leaving the colony, vizt. :—

Received, July 20th, 1805 : Cows and heifers, 150 ; oxen and calves, 50. King's live
Remained Jan'y 1st, 1807 : Cows and heifers, 238 ; oxen and calves, 96. stock.
Increase, exclusive of 12 oxen killed and some casualties : Cows and heifers,
88 ; oxen and calves, 46.

Not considering the above, or any part of them, mine until I know your sentiments thereon as to its propriety, I beg to point out the precautions I have taken to prevent any part of them being killed or disposed of until directions may be received from me, which are fully explained in the instructions I left with those in charge of the stock, and my written request to Governor Bligh, without whose authority and that of the two officers I left as my attornies, nothing was to be done with them till accounts might be received from me.

King awaits
approval of
his action.

* See Phillip's letter to King of 5th June, 1799, vol. iii, p. 678.

† Vol. v, p. 130.

‡ Ib., p. 361.

§ Ib., p. 657.

1803

20 March.

Cost of
mainten-
ance.The hard-
earned
savings of a
lifetime.

The first expences attending the care and preservation of this stock for the first 18 months was £341, which was paid out of the produce of the cattle ; and the expence of keeping them since is estimated at £259* a year, grain being raised by the stockmen for their own use.

From this statement it will appear that no great advantage results from the acquisition at present, altho' it certainly may be beneficial to my children, who were all born in that country, and have no other patrimony to look to ; and I consider it necessary that I should, in truth and honor, declare to you that the only property I possess in this world is the hard-earned saving of £2,000 from my salary during the twenty years I have held the situations I have done in that remote part of His Majesty's dominions (where indeed I should have been glad to have returned to end my days), the interest of that £2,000, and my pay as a captain in the Navy, producing about £220 a year, to maintain a wife and six children is all my dependance.

King's high
sense of
honour.

However, poor as I am, I should be sorry to commit an act that might hereafter be of a questionable nature, which I hope will excuse my intruding on your time by requesting your sentiments as to the propriety of the exchange and my retaining those I selected, as stated in the former part of this letter, as it is necessary I should give directions to those who have charge of that stock by the Speke, which ship, I understand, will not sail for some days.

In respectfully submitting the above to your early consideration,†

I am, &c.,

PHILIP GIDLEY KING.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir, Government House, Sydney, 20th March, 1808.

Johnston's
letter to
Symons.

I have received by your orders from Mr. Bayly, your secretary, a letter‡ of yesterday's date, enclosing a copy of a letter written by you to James Symons, Esquire, addressed, Acting-Commander of His Majesty's ship Porpoise, dated 16th instant, and his answer thereto.

Difficulty of
obtaining
conveyance
for Bligh.

You state that I am aware that the choice of means to carry me Home are extremely circumscribed, and that there is no ship in this port on board of which me and my family can be comfortably accommodated, except His Majesty's ship Porpoise, and the accompanying letter to the Acting-Commander of His Majesty's ship, and his reply, will convince me that there are insuperable objections to my going on board the Porpoise, unless at my own particular request, and under a solemn engagement, on my word of

* Superintendent, £50 ; overseer, £30 ; four stockmen, £20 each, £80 ; vict'g, salt meat, £90 ; tools, &c., £9. Total, £259.

† In a letter to Mrs. King, written some little time after the death of her husband, Viscount Castlereagh informed her that the Government could not recognise this claim after the number of years which had elapsed, and in view of the fact that it originated in an act of neglect.

‡ Ante, p. 540.

honor as an officer, that I will not attempt to assume any command, and that I will consider myself in arrest until His Majesty's pleasure shall be signified on my late supercession. That on these conditions being acquiesced in, you inform me that a requisition shall be made to Capt. Symons to receive me and my family on board, and to proceed to England; but should I think it proper or prudent to reject this arrangement, much as you will regret separating me from my family, and being obliged to put me on board a vessel in which you cannot procure me suitable accommodation, yet a sense of duty arising from a regard to the welfare of the colony, and the honor of His Majesty's service, leaves you no choice but that of sending me Home in the ship Dart now ready to sail.

1808

20 March.

Recapitulation of Johnston's letters to Bligh,

In your letter to the said James Symons, Esq., addressed, Acting-Commander of His Majesty's ship Porpoise, you request he will be pleased to inform you whether the rules and regulations of the Naval Service will admit of his receiving me on board for the purpose of carrying me to England in arrest, and that you will be thankful if he will acquaint you what accommodation can be spared; in answer to which Mr. Symons' letter is as follows:—

and to Symons.

“Sir,

“H.M.S. Porpoise, 16th March, 1808.

“In answer to your letter of this day's date, I have to inform you that when Capt. Bligh comes on board the Porpoise I must consider him as first captain, and I am ready to receive him when you may think proper. I further beg leave to inform you that half the Commander's accommodation belongs to him.

“I have, &c.,

“J. SYMONS.”

In reply, I have to refer you to my former letters of the 1st, 2nd, and 11th of February, with their respective inclosures,* which clearly point out that I laid an undoubted claim to the command of the Porpoise, and which claim I still make. With respect to your requiring my word of honor as an officer that I will not attempt to assume any command here, and that I will consider myself in arrest until His Majesty's pleasure be signified on my late supercession, I pledge myself to do; but with regard to His Majesty's ship Porpoise, I, in the name of His Majesty, and in the name of the Lord High Admiral, or Commissioners for executing the office of Lord High Admiral of Great Britain, do most solemnly and positively demand to be put in possession of her, that I may return to England with my family and friends according to the dignity of my rank and station.

Bligh claims to be put in possession of H.M.S. Porpoise.

I have, in order that you might be acquainted with my naval authority, communicated to you the power I possess. By the documents alluded to, you will see that Actg.-Lieutenant Symons has illegally appointed himself Acting-Commander of his commanding officer's ship, and does not wear his distinguishing flag;

Symons illegally in command.

* Ante, pp. 460, 463, and 517.

1808

20 March.

Bligh willing
to sail for
England in
Porpoise.

and I must further observe that unless it is hoisted again by me, the whole officers and ship's company will be involved in ruin by supporting such a transaction with their Acting-Lieutenant, who only commanded them in the execution of a particular service by my order.

If, therefore, I understand you right, you do not intend to take any authority upon you to prevent my commanding His Majesty's ship, as on my proceeding on board to that effect it will be a further sacred pledge of my appearance in England, and will prevent you, sir, from separating me from my family, which can only be done by force, and then His Majesty's Government will judge of the violence of such an act—an act which they will readily declare as an insult to the British nation, and likewise to humanity, when they find that the Dart is a poor, small, wretched vessel of 197 tons burden, with only one deck, deeply laden with salted skins, and no adequate accommodation.

I am, &c.,

W^m BLIGH.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

21 March.

Sir,

21st March, 1808.

Johnston
will not con-
sent to Bligh
command-
ing the
Porpoise.

I am ordered by His Honor the Lieutenant-Governor to acquaint you that your letter of yesterday's date shall be transmitted to His Majesty's Ministers with such other public papers as may enable them to form a just opinion of the measures which have been adopted towards you, both before and since your supersession. I am further, sir, directed to inform you that unless you think proper to comply with the conditions prescribed in my letter of the 19th instant, you cannot be permitted to take your passage on board His Majesty's ship Porpoise—that you will be expected to prepare yourself immediately to embark on board the Dart.

NICHOLAS BAYLY,

Secretary.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

22 March.

Sir

Government House, Sydney, 22nd March, 1808.

Bligh
refuses to
embark in
the Dart.

As by your letter of yesterday you have positively refused me the command of His Majesty's ship Porpoise, I have nothing further to observe than as I refuse to go in the Dart I must proceed in the Fox, a brig belonging to Mr. Campbell.

I am, &c.,

W^m BLIGH.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sir,

Headquarters, Sydney, 22nd March, 1808.

I am commanded by His Honor the Lieutenant-Governor to inform you, he remarks with the greatest concern that his endeavours to do everything in his power to secure a comfortable accommodation for you and your family on your passage to England seems to have produced no effect upon your mind.

I am further commanded to acquaint you that, although **you say** "you must proceed in the Fox, a brig belonging to Mr. Campbell," it will not be permitted, for reasons that will be explained to His Majesty's Ministers; and that, unless you think proper to take your passage on board His Majesty's ship Porpoise on the conditions that have been explained, you will be required to embark on board the Dart on the 1st April.

1808

22 March.

Johnston
refuses to
allow Bligh
to sail in the
Fox.

N. BAYLY,
Secretary.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir, Government House, Sydney, 23rd March, 1808.

23 March.

I have received your secretary's letter of yesterday's date in which I am informed that, although I said in my letter to you of the same date I must proceed in the Fox, a brig belonging to Mr. Campbell, it will not be permitted for reasons that will be explained to His Majesty's Ministers, and that unless I think proper to take my passage on board His Majesty's ship Porpoise on the conditions that have been explained, I shall be required to embark on board the Dart on the 1st of April;—in reply to which I am under the necessity of requesting to be informed if by the word "required" it is meant that I shall be forced to embark on board the Dart. As you expressed great regret in your letter of the 19th instant that none of the vessels had arrived which I alluded to in mine of the 11th ultimo, I was induced to propose the Fox, that had just arrived.

Bligh asks if
Johnston
will force
him to sail
in the Dart.

I am, &c.,

W^M BLIGH.

GOVERNMENT AND GENERAL ORDER.

23rd March, 1808.

JOHN BLAXLAND, Esquire, having requested to resign his situation as a magistrate, in consequence of his intending to leave this colony, his resignation has been accepted.

The
magistracy.

The same cause having induced Mr. Blaxland to apply to be relieved from sitting as a member of the Court of Civil Jurisdiction and Mr. Thomas Laycock being, from a severe illness, incapable of sitting. Mr. Blaxland and Mr. Laycock are to be relieved from that duty. Mr. R. W. Wrather and Mr. William Emmett are appointed to be members of the Court of Civil Jurisdiction, which is to assemble to-morrow, the 24th instant.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sir, Sydney, 24th March, 1808.

24 March.

I am commanded by His Honor the Lieutenant-Governor to inform you, in answer to your letter of yesterday's date, that it has been his unceasing study, ever since you were put in arrest, to avoid saying or doing anything towards you at which the most

Johnston's
considera-
tion for
Bligh's
feelings.

1808
24 March.

scrupulous delicacy could take offence ; and that when he caused it to be signified that you would be required to embark on board the Dart, he naturally concluded you must have understood that, if the requisition was not complied with, it would be most certainly enforced.

I am further commanded to acquaint you that enquiries have been made respecting the Fox, and the result has not removed His Honors objections to your embarking in that vessel.

A final
alternative.

In answer to your observations that His Honor had expressed great regret that none of the vessels had arrived which were alluded to in your letter of the 11th ult., I am directed to refer you to that letter as an evidence that the Fox cannot be considered as one of the vessels which you signified was to be expected in the month. But that you may not be led into an unavailing controversy on words, I am commanded distinctly to state again, that you will be expected to embark on board the Dart on the 1st of April, unless you shall prefer taking your passage in His Majesty's ship Porpoise on the conditions already proposed.

As the time fixed for the sailing of the Dart is so short, your immediate answer is expected.

I have, &c.,

N. BAILY,

Secretary.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir, Government House, Sydney, 24th March, 1808.

Bligh's reply
to Johnston.

I have to acknowledge the receipt of your secretary's letter of this day's date, stating that he is commanded by you to inform me, in answer to my letter of yesterday's date, that it has been your increasing study, ever since I was put in arrest, to avoid saying or doing anything towards me at which the most scrupulous delicacy could take offence ; and that when you caused it to be signified that I should be required to embark on board the Dart, you naturally concluded I must have understood that if the requisition was not complied with it would most certainly be enforced ; also, that he is further commanded to acquaint me that enquiries have been made respecting the Fox, and that the result has not removed your objections to my embarking in that vessel ; that in answer to my observation that you had expressed great regret that none of the vessels had arrived which were alluded to in my letter of the 11th ultimo, he is directed to refer me to that letter as an evidence that the Fox cannot be considered as one of the vessels which I signified was to be expected in this month : but that I may not be led into an unavailing controversy on words, he is commanded distinctly to state again that I shall be expected to embark on board the Dart on the 1st of April, unless I shall prefer taking my passage in His Majesty's ship

~~Porpoise~~ on the conditions already proposed, and that as the time 1808
~~for the sailing of the Dart~~ is so short my immediate answer 24 March.
~~is expected.~~

~~In~~ reply thereto, I therefore acquaint you that the Dart being Bligh agrees
~~the~~ only vessel offered besides His Majesty's ship Porpoise, and to
~~having~~ very sufficient and satisfactory reasons for objecting to Johnston's
~~proceed~~ in that vessel, as I shall make appear to His Majesty's conditions.
~~Ministers~~ and my Lords Commissioners of the Admiralty, I do on
~~that~~ account only agree to take my passage in His Majesty's ship
~~Porpoise~~, on the conditions prescribed in your secretary's letter of
~~the 19th inst.*~~

I am, &c.,

W'M BLIGH.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sydney, 24th March, 1808.

I AM directed by His Honor the Lieut.-Governor to request infor- Bligh's
 mation of the names of the persons you propose to embark with witnesses
 you on board His Majesty's ship Porpoise.

I have, &c.,

NICHOLAS BAYLY,
 Secretary.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir, Government House, Sydney, 25th March, 1808.

25 March.

In answer to Mr. Bayly, your secretary's, letter to me this evening, stating that he was directed by you to request information of the names of the persons I propose to embark with me on board the Porpoise, I have to inform you they are as follows:—Mr. to embark
 Atkins, Judge-Advocate; Mr. Campbell, Mr. Palmer, Mr. Arndell, with him on
 Mr. Williamson, magistrates; Rever'd Mr. Fulton, chaplain; Mr. Porpoise.
 Gore, Provost-Marshal; Mr. Fras. Oakes, Mr. R'd Rouse, Mr.
 Nicls. Divine, Mr. Andrew Thompson, Mr. Jas. Wilshire, Mr.
 Geo. Crossley, George Dowling, and Mr. Edward Griffin, my
 secretary.

With respect to servants, who I acknowledge you offered me in Bligh's
 your message of the 11th ulto.†, as well as any medical assistance servants.
 —which is now supplied by my surgeon of the Porpoise—subject
 to the Secretary of State's directions, in case it should be necessary,
 I have to request to be allowed for Mrs. Putland, one woman
 servant—not yet determined on; George Jubb, my steward—a
 deserving person, who has had and continues in the charge of all
 my property; H—— T——, cook and baker, and J—— W——,
 convicts.

I am, &c.,

W'M BLIGH.

P.S.—Had I gone Home in a private ship, Mr. O'Connor was
 the person I should have applied for as medical assistant.

* Ante, p. 540.

† Ante, p. 516.

1803

NICHOLAS BAYLY TO GOVERNOR BLIGH

25 March.

Sir,

Sydney, 25th March, 1808.

George
Crossley.

I am ordered by His Honor the Lieutenant Governor, in reply to your letter of this date, containing the return of persons you wish to take to England, to refer you to my letter of the 19th February,* and further to acquaint you, as George Crossley, a convict, is added to the number named in your letter of the 17th of Feb'y,† he shall be allowed to attend you, but as a prisoner, subject to return to this colony to serve out what period may remain unexpired of the sentence he is now suffering under.

The prisoner servants you have selected will also have conditional emancipations made out, subject to the approval or disapproval of the Secretary of State.

I am, &c.

N. BAYLY,

Secretary.

MAJOR JOHNSTON TO LIEUTENANT SYMONS.

Sir,

25th March, 1808.

Bligh to sail
in Porpoise,
surrender-
ing
command to
Symons.

You will herewith receive the copies of a correspondence which has been held with the late Governor, William Bligh, Esq., relative to his return to England. From that correspondence you will learn that he has voluntarily chosen to take his passage on board His Majesty's ship Porpoise, now under your command, in preference to taking his passage in the ship Dart. This has been acceded to by me, on the express conditions that he shall enter into a solemn engagement, on his word of honor as an officer, that he will not attempt to assume any command, and that he will consider himself in arrest until His Majesty's pleasure shall be signified respecting his late supercession.

Johnston's
order for his
embarka-
tion.

The necessity of making this arrangement for the return of the late Governor to England will also be explained by the accompanying letters. It is, therefore, only requisite for me now to represent to you that the good of His Majesty's service requires he should immediately leave this colony, and to request that you will, on that consideration, be pleased to receive him and his family on board the Porpoise.

Persons
accompany-
ing Bligh.

A return of the persons the late Governor may intend to take with him shall be immediately procured, and be transmitted to you, that you may make arrangements for his and their comfortable accommodation.

Ready for
sea in a
week.

Whatever assistance you may require for the speedy equipment of His Majesty's ship shall be directly supplied; and my own knowledge of your zeal and past active exertions in forwarding the public service, leaves me without doubt that you will be ready for sea in a week.

I am, &c.

GEO. JOHNSTON.

* Ante, p. 520.

† Ante, p. 521.

LIEUTENANT SYMONS TO MAJOR JOHNSTON.

1808

Sir, His Majesty's ship Porpoise,
Sydney Cove, 26th March, 1808.

26 March.

In answer to your letter of yesterday's date, requesting me to receive Capt'n Bligh on board His Majesty's ship Porpoise, I have to inform you that I am at any time ready to receive him ; and I must again repeat that on Capt'n Bligh's coming on board His Majesty's ship Porpoise I must receive his orders, and will give up half the accommodation appropriated for the commander. Any other comfortable accommodation for passengers will be impossible, as the nature of the service will not allow any alteration of her cabins.

Symons will receive Bligh on Porpoise.

I further beg leave to inform you, if the weather is favourable, and with every exertion, the ship may be got ready for a voyage to England in fourteen days.

I have, &c.,

J. SYMONS.

MAJOR JOHNSTON TO LIEUTENANT SYMONS.

Sir, Headquarters, Sydney, 26th March, 1808.

I have the honor to acknowledge the receipt of your letter of this day's date in answer to my application to you to receive W'm Bligh, Esq., and his family on board His M. ship Porpoise.

If you refer to the conditions on which he is permitted to take his passage in His Majesty's ship, I think no doubt can be entertained of so solemn an engagement being rigidly observed by any officer who hold the ship's commission. Should it, however, prove otherwise, I conceive you can be subject to no responsibility if you conform in every respect to the rules and regulations of your own service, of which, as I have no competent knowledge, I do not presume to offer an opinion.

Bligh's status on the Porpoise.

You will receive with this a return* of the persons named by the late Governor to accompany him to England, and I earnestly recommend that you will make every arrangement in your power for their accommodation. I have also to request you will have the goodness to allot a cabin for Lieut. Minchin, who goes Home with my despatches. I beg leave to repeat that whatever assistance you may require in getting ready for sea shall be instantly supplied, and I sincerely hope you will be ready within the time you have specified.

Passengers for England.

GEO. JOHNSTON.

LIEUTENANT SYMONS TO MAJOR JOHNSON.

Sir, His Majesty's ship Porpoise,
Sydney Cove, 26th March, 1808.

I have to acknowledge the receipt of your letter of this date, inclosing a list of passengers required by Captain Bligh to be accommodated on board His Majesty's ship Porpoise. I have already intimated my readiness to divide the apartments allotted for the commander of that ship with Capt'n Bligh, and I shall be

Accommodation on Porpoise.

* Ante, p. 547.

1808 enabled to furnish three cabins, one of which I will appropriate for
 26 March. Lieut. Minchin; but any other accommodations for officers, gentlemen, or families will be totally out of my power.

I must request to be furnished with carpenter and the materials to fit up Captain Bligh's cabin in the way he may wish.

I have, &c.

J. SYMONS

MAJOR JOHNSON TO LIEUTENANT SYMONS.

27 March.

Sir,

27th March, 1808.

Johnston
 asks for
 explanation.

I beg to be informed whether I am to understand by your letter of yesterday's date that you cannot receive any persons on board His Majesty's ship Porpoise except such as can be accommodated in the apartments you propose to allot for the use of the late Governor, and in the cabins (three) which you say you will be enabled to furnish.

If you will have the goodness to make a regular demand for the mechanics and the different materials you may want it shall be immediately complied with.

GEO. JOHNSTON.

LIEUTENANT SYMONS TO MAJOR JOHNSTON.

His Majesty's Ship Porpoise,

Sydney Cove, 27th March, 1808.

Sir,

Symons
 explains.

In answer to your letter of this day's date, I meant to inform you in my letter of yesterday's date that there cannot possibly be any accommodations but the half of the Commander's cabin, and three cabins before the gun-room that are comfortable for gentlemen; but I can receive about twenty or thirty other persons to hang their hammocks amongst the ship company.

Alterations
 and repairs.

I have to request the master carpenter may be sent on board H.M.S. Porpoise, and I will point out the spaces that can be spared to erect the three cabins, and every assistance shall be given on my part to forward your wishes. A circumstance occurred yesterday of the master being taken out of the ship for debt. Should he be unable, from that circumstance, not to proceed on the voyage, there will be another spare cabin; and I will endeavour to manage matters that the midshipman may mess with the warrant officers, which, if I should be able to accomplish, will enable me to make accommod'n for another gentleman.

I have, &c.,

J. SYMONS

MAJOR JOHNSTON TO LIEUTENANT SYMONS.

Sir,

Headquarters, Sydney, 27th March, 1808.

I have ordered Mr. Moore, the master carpenter, to attend you to-morrow morning at daylight, or at any other hour you may think proper to appoint, for the purpose of making the space that you propose to allot for the late Governor and his family, and for Lieut' Minchin, on board His Majesty's Ship Porpoise.

But before you come to a final determination upon the subject, permit me to express my regret that no more than one-half the Commander's cabin can be given up; and to recommend that you will have the goodness to consider whether it may not be practicable to make some arrangement which may enable you to give the late Gov'r more than one-half the cabin for himself and his daughter.

1808
27 March.
A cabin for Bligh.

I am, &c.,

GEO. JOHNSTON.

PROVOST-MARSHAL GORE TO VISCOUNT CASTLEREAGH.

[Extracts.]

Cells, Sydney Jail, New South Wales,

My Lord,

the 27th March, 1808.*

The letter which I had the honor of addressing to your Lordship in November last† by the Duke of Portland, returned transport ship, has most probably by this time prepared your Lordship's mind for the event that has occurred at Sydney, the capital of New South Wales, on Tuesday, the twenty-sixth of January, 1808.

Gore's previous letter.

I believe I took the liberty of acquainting your Lordship in my letter (the duplicates of which I found it prudent to destroy on the night of the 26th), that since the period of my arrival in this country on the sixth of August, 1806, an unhappy and a most inveterate party spirit had prevailed amongst a certain description of persons here—a spirit which was no doubt subversive of His Majesty's rights and interests, insomuch that it was ruinous to the subordination which was necessary to be upheld between the officers of the Crown and their fellow-subjects, and was utterly destructive of the unanimity that should exist between the Governor and the officers.‡

Party feeling
rise at
Sydney.

A little time will develope to your Lordship what on first view will appear scarcely credible, and cannot fail to excite your Lordship's astonishment, that a private settler of New South Wales has dared to erect the standard of rebellion, and, actuated by a lust of power, has bid defiance to the constituted authorities of the country, and in the furtherance of his ambitious designs to overturn His Majesty's Government, as established by law, even to the arrest of his Governor, and to the seizure of his papers, public and private. This daring act of rebellion was perpetrated, too, at a time when the country began to recover from the dreadful effects of a desolating famine, and when the fostering and beneficent efforts of Governor Bligh began to be felt, and to be generally acknowledged by the people, who had the fullest confidence in him, and hailed him as their common friend and deliverer from oppression and indigence.

The
"standard
of rebellion."

The people's
friend.

* This letter was not completed until May, 1808, post, p. 563 (note).

† See Gore to Castlereagh, 31st October, 1807, ante p. 371.

‡ Gore evidently refers to that part of his letter of 31st October, 1807, which is printed on pp. 372, 373, ante.

1908

27 March.

Conduct
of the
military.Officers
responsible.The
opposition
to Bligh.The spirit
trade.Bligh
inflexible.

It will, I am satisfied, affect your Lordship with indignation to learn that the soldiery here were, by the artifices of designing men, seduced to become the misguided instruments by whom the Government was subverted. Their conduct may, however, admit of extenuation when it is recollected that, from a habit of discipline and long acquaintance with their officers, they were easily persuaded by them to join in what they were told was the common cause. They obeyed their officers, and the Government has been overthrown—a deed, I lament to add, but too easily accomplished, for the Governor had no means to oppose against their projected treachery but the authority of his commission, which they held in the most profound contempt. I shall venture to communicate a general detail of this unprecedented affair to your Lordship; but very obvious motives deter me from entering into so circumstantial an account of it as I could otherwise wish, and as I feel it my duty to do.

I have already observed that a most unmerited opposition to all the measures of Governor Bligh was manifested immediately on his arrival, an opposition that proceeded from and was chiefly fostered by the wily traytor, McArthur; but although I assert that he was the principal actor in this disgraceful transaction, I do not however impute the entire odium of it to him; for the stop, or at least the orders that had been early issued by Governor Bligh prohibiting the barter and traffick of spirits* had created for him a host of enemies who, in apparent acquiescence to his orders, were nevertheless determined to avail themselves of the advantages they drew from the old system of spirit dealing—a system from which they derived their present consequence and independence, they were resolved not to suffer a deprivation of without a struggle that has ultimately involved them in treason and mutiny.

But Governor Bligh was not to be diverted from his good intentions. He had undertaken the Herculean task, and he was fixed in his determination to lay the ax at the root of so monstrous an evil, the baneful and impoverishing effects of which were apparent to the plainest understanding, and unhapily but too sensibly felt by the laborious and industrious settler who, whilst the rapacious gentleman huckster and dealer for a few gallons of spirits draged to his all-grasping and unwieldy stores the product of his farm and of his toil, left the needy cultivator not even sufficient to satisfy the craving appetites of his naked and starving children. [*Here follows an account of the dispute between Bligh and Macarthur concerning the detention of the schooner Parramatta which, as it will be found printed on another page, is omitted.*]

In the meantime [*i.e., the time up to Macarthur's final arrest and commitment*] rumour declared that McArthur's oldest daughter was in a declining state of health. A change of air was recommended

* See Bligh's Orders, 14th February, 1807, ante, p. 253.

by her professional friends, as most likely to restore her wonted good health. Sydney was made choice of, and Captain Abbott, having built a house a short time before, close to the military barracks, he kindly accommodated his friend McArthur with the use of it. From this period* we are to date the active steps that were taking to wrest the administration out of the hands of Governor Bligh. What had hitherto been mentioned only in confidential whispers and conversations was now ventured to be more openly spoken of. Every measure, every act of his, were railed against by the cabal ; measures which, had the Governor an opportunity of following up conformable to his intention, would have restored prosperity and confidence to the country ; measures which he had wisely planned, and were the result of mature deliberation, for the general good and future benefit of the people, were represented as tyrannical and impolitic acts of oppression.

1803

27 March.

Macarthur
removes to
Sydney.

Opposition
to Bligh.

The minds of the officers were gradually undermined by the relations of their pretended grievances, and thus they were alienated from their duty before they were aware of the abyss of guilt into which they were about to plunge themselves. Their consent once obtained, that of the soldiers followed as a natural consequence. After McArthur's arrival as a resident in Sydney, every means that intrigue and artifice could suggest were resorted to by him and his adventuring needy associate Bayly to effect the object they had in view. The junto now tampered with the soldiers, who became the dupes of their favoritism, and their minds were withdrawn from their allegiance by the most alluring and insidious promises and misrepresentation.

Gaining
over the
soldiery.

In this state matters rested, when on Sunday the 24th of January, the day before McArthur's trial was to have commenced, an unusual circumstance occurred.

For the first time since our arrival in this country the officers of the New South Wales Corps dined together as a mess, and the novelty of their assembling on that day was heightened by the display of their regimental colours at the door of their mess room. It was cased in the fore part of the day, and unfurled during the afternoon.

The officers
dine
together.

At any other time, my Lord, or on any other occasion, this circumstance would have been undeserving of notice ; but from subsequent events it is to be inferred that had any one amongst the officers been waiving, this was the rallying day, when heated by wine, that was to fix them in a unanimous resolution of possessing themselves of the administration of the country.

An
inference.

I conceived it to have been my duty to inform the Governor of this circumstance, as denoting something uncommon, of which I was then ignorant ; for I could not entertain the most distant

* According to Bligh (post, p. 611), Macarthur commenced to reside at Sydney about 11th January, 1803 ; his family, however, appear to have remained at Parramatta.

1808
27 March.
—
Major
Johnston.

idea that Major Johnston, who commanded the Corps, on account of the independent property he had acquired in the country, and of the many years services by which he had obtained his rank in the Army, and lastly I considered that the fidelity he owed to his gracious Sovereign, would all have concentrated in his breast to check the least spirit of insubordination that would have manifested itself among his officers ; but I have been mistaken, and this day I understand passed away in unusual hilarity, the mess not breaking up untill a late hour. It is a curious, and I imagine an undoubted fact, that McArthur, who was to have been tried the ensuing day by those very officers on charges of a seditious nature, was on the preceding day one of their guests at dinner.* His son and nephew were there.

The trial of
Macarthur.

At the hour of ten o'clock on the morning of Monday, the twenty-fifth of January, McArthur was to have been put on his trial ; but it is necessary for me to relate in this place his having made previous application to the Governor to suspend Mr. Atkins, and to appoint another Judge-Advocate in his stead to preside at his trial, an extra judicial act of authority which the Governor did not conceive himself justified in exerting, neither did he think himself warranted in exercising so strong and harsh a measure against the dignity and integrity† of an officer who held an honorable appointment under the Crown, upon the mere unsupported assertion of a party who was himself accused of very flagrant offences.

Opening
scenes at the
trial.

Affairs were in this posture, and the hour of trial arrived, when McArthur stood at the bar, requesting permission to read a paper he held in his hand, before the members who were to compose the Court were sworn. However, the Judge-Advocate administered the oath to them, and as he was in the act of handing the Book to Captain Kemp, the senior member, for the purpose of his swearing him, the Judge-Advocate, the prisoner again demanded of them to permit him to read his protest against Mr. Atkins presiding as Judge-Advocate at his trial. A most violent altercation and uproar almost instantaneously ensued. The six members who were to have composed the Court of Criminal Jurisdiction started tumultuously upon their seats, and resolved to hear the protest read, the prayer of which they afterwards admitted to the full extent required by the prisoner, during which time the Judge-Advocate withdrew from his seat at the table to one of the side forms, declaring them to be "no Court," whilst McArthur read a most scurrilous libel against his character, in which he represented him as being in his debt, corrupt, a swindler, and as having hostile

Macarthur's
challenge to
the Judge-
Advocate.

* In this Gore was wrong. Edward Macarthur and Hannibal Macarthur were present at the dinner, but not John Macarthur.

† Bligh at least could not have hesitated on account of Atkins's dignity and integrity. See his letter of 31st October, 1807, ante, p. 355.

enmity towards him.* His language, his action, his whole demeanour during his delivery of it, were palpably calculated to excite the contempt and indignation of the auditors against Mr Atkins, and the wording of the protest had an evident tendency to embitter and to impassion the minds of the soldiers, with whom the Court was intentionally crowded. McArthur having read the protest, the Judge-Advocate returned to the table, and told him that, for his contempt, he would commit him to jail, to which Captain Kemp replied he would commit him (the Judge-Advocate)—that he was but a juror, and no more than any other member of the Court. Mr. Atkins then again proclaimed them to be “no Court,” and retired from the Court-house, insisting and telling them loudly that they were “no Court.”

1808

27 March.

His address
to the
Court.Atkins
retires.

The perturbation of the crowd, in consequence of so scandalous and contumelious a scene, having occurred in a court of justice, was extreme on my departure from it, when, accompanied by the Judge-Advocate, Messieurs Campbell, Palmer, the Reverend Mr. Fulton, and Mr. Griffin, the Governor's secretary, we repaired to Government House, and informed the Governor of what we had just witnessed, who, notwithstanding, was cool and collected, and, whilst deliberating on what plan he should adopt in this stage of so unexpected a business to recall the members to a sense of their duty, Ensign Bell was deputed with a letter from Captain Kemp, and Lieutenants Moore, Brabyn, Laycock, Minchin, and Lawson, denominating themselves the Criminal Court, and requesting that His Excellency would be pleased to appoint a Judge-Advocate to conduct the trial of Mr. McArthur, to which the Governor replied that he would not be justified in suspending His Majesty's Judge-Advocate, and that without him they were not a Court. This answer produced another letter from them to the Governor, of similar import with the former, who, to use his own words, “again repeated to them that they were ‘no Court.’” Some more letters were subsequently sent by them on this day to the Governor, in the last one of which they stated that they would adjourn until His Excellency's pleasure was known.† As I was the bearer of the letters from the Governor and them, I entreat your Lordship to carry this last letter in your recollection, as on it my present confinement in a dungeon—the most unjust and oppressive confinement, my Lord, on a most false and illegal charge—has been vested by the daring rebel, McArthur, and his mutinous minors.

Magistrates
repair to
Government
House.Bligh in cor-
respondence
with officers.

It now, my Lord, becomes necessary for me to mention, in this place, that the six members transmitted to the Governor an affidavit made before them by the prisoner McArthur, wherein he swore that “he was informed by direct friendly persons that

* The disinterested reader can draw his own conclusions on this point. Macarthur's address is printed on p. 422, ante.

† The whole of this correspondence will be found in an earlier part of this volume.

1808

27 March.

Macarthur
asks for
protection of
the military.

An escape
warrant
granted.

Macarthur
re-arrested.

Bligh sends
for
Johnston.

ruffians were waiting to execute a warrant on him from the Judge-Advocate, and requesting a military guard for his protection, as he declined giving any bail."* . . . Circumstances were thus situated when those six members who were to have formed a Criminal Court thought proper to adjourn themselves about the hour of four o'clock in the afternoon, and the Governor on that night consulted with the magistrates on the steps that were most advisable to be pursued in the present emergency. I attended there, as did the Reverend Mr. Fulton also, and George Crosley, the lawyer, who generally assisted the Judge-Advocate with his professional opinion and advice, was in waiting, for the purpose of reducing into a proper form such proceedings as the Governor might deem it expedient to adopt. On this occasion the Governor applied to me, as Provost-Marshal, to know where the prisoner McArthur was. I answered that I did not know—that he left the Court-house in the afternoon with the officers, and surrounded by the soldiers. His Excellency then told me, as I was answerable for him, it was necessary for me, and regular, to make an affidavit, stating that he was not at that time in my custody, on which an escape-warrant would be granted to me by the justices against him. I therefore made oath† to the proposed effect, and a warrant was issued, on which McArthur was retaken the following morning, and carried to prison, a short time after which the six members (who had assembled again as a Court) sent their serjeant-major and one Serjeant Johnns for me, directing me to wait on them immediately, which I refused to do, observing "that as they were not a Court, I was not their officer, but if they wished to see me as a private individual I would wait on them immediately with pleasure." This, however, they declined, and immediately after they sent a letter to the Governor, enclosing one from Messieurs Bayly and Blaxcell, complaining that "Mr. McArthur was arrested and draged to prison that morning, in consequence of an escape warrant that had been issued by the justices against him on a false oath sworn by Mr. Gore, the Provost-Marshal." After this letter they wrote several others to the Governor on that day, which were unnoticed by him, and His Excellency perceiving that they still continued to sit, insisting with the utmost pertinacity that they were the Court of Criminal Jurisdiction, he, with the advice of the magistrates, in order to avoid harsh measures in the first instance, adopted the resolution of convening a Bench of Justices in Government House, at which he was himself to have presided. He therefore immediately directed a letter to be dispatched express to Major Johnston, who had remained at his country house the entire of Monday and the greater part of Tuesday, acquainting him of the charges that had been exhibited

* The affidavit of Macarthur is given at length on p. 427, ante.

† See Gore's deposition, ante, p. 428.

by the Judge-Advocate against his six officers, and inviting him to take his seat on the Bench before which they were to be brought. It was likewise the Governor's determination, if in the course of the investigation the officers were found to have acted from an error of their judgements, that no serious notice was to have been taken of their offence ; but, on the contrary, if it appeared that they were actuated by a spirit of contumacy and insubordination, then in that case His Excellency was resolved to avail himself of the power with which he was invested to restore subordination and to re-establish obedience. I must not omit mentioning in this place that the Governor being informed that Major Johnston had happened with a severe accident by having fallen from his gig on his return home from the mess on Sunday night, expressed his regret for the unpleasant cause that had prevented him from taking his seat on the Bench, thereby depriving him of the assistance he promised himself he would derive from his presence, and also submitting to him the propriety of ordering Captain Abbott from Parramatta to take the command of the troops during his indisposition.*

1808
27 March.

Bligh's
intentions
concerning
the officers.

But I most sincerely lament to add that on this occasion the Governor's moderate and prudent intentions were anticipated by the most unprovoked, and I hope the most unprecedented, outrage that has ever been committed by the military in any of the British colonies or dependencies.

A little after six o'clock on the evening of the 26th of January I was told by the Chief Constable and the jailor, who called at my house for the purpose, that McArthur had just been liberated from confinement by virtue of a discharge, which the latter put into my hand, with the signature of George Johnston, Lieutenant-Governor (which I did not observe on my first perusing it cursorily). Surprised that he was discharged without my knowledge, and contrary to the orders I had given, and angry at what I then imagined was a trick played on me, I immediately took the jailor with me to Government House. While I was passing along the lobby stairs, I perceived, through an end window that looked towards the guard-house, Ensign Bell order out the main guard, of which he had the command that day, and give them the word to prime and load. He then turned the guard in, and waited two or three minutes at the utmost for a group of young officers, viz., Captain Kemp and Lieutenants Minchin, Lawson, and Draffen, who, linked with each other, were at this moment walking deliberately across the bridge, the better to conceal their designs. I then left the Governor and went downstairs, and I stood fronting the back door of Government House, with my face turned towards the shrubbery, and in conversation with Mr. Arndell, the magistrate, when I suddenly felt two successive blows on my left breast. On looking round I was exceedingly surprised to see two soldiers directing me, with the aid of their bayonets, to "stand off."

A circum-
stantial
account of
the events
connected
with the
arrest of
Bligh.

The soldiers
at
Government
House.

* See this letter from Bligh to Johnston, ante, p. 433.

1808

27 March.

The guard in
possession of
Government
House.

The conduct
of Bligh's
daughter.

The New
South Wales
Corps march
to
Government
House.

Speedy compliance was necessary, but I asked Lieutenant Draffen, who had got round to the rear of the house, if he would permit me to see the Governor. The only notice he took of my request was to order the soldiers to do their duty, which they understood by driving me from the door with their bayonets. I next attempted to walk to the shrubbery ; but in this I was likewise opposed, and then, by the express order of Lieutenant and Adjutant Minchin, I was made a prisoner of by two soldiers, and hurried by them to my own house. The main guard had now gained complete possession of Government House, but in their progress to it they experienced a momentary interruption from the resistance made by Mrs. Putland to their entrance through the gate, and they were also opposed for some time to a degree of temerity by the zeal and fidelity of the Reverend Mr. Fulton from forcing the hall door, and from which he did not recede untill he was taken in flank by a party of soldiers who made their way by another door into the body of the house. He was then driven from the door to the area in front, and ordered to retire to his own house, where he was to consider himself a prisoner. The fortitude evinced by Mrs. Putland on this truly trying occasion merits particular notice, for, regardless of her own safety, and forgetful of the timidity peculiar to her sex, her extreme anxiety to preserve the life of her beloved father prevailed over every consideration, and with uncommon intrepidity she opposed a body of soldiers who, with fixed bayonets and loaded firelocks, were proceeding in hostile array to invade the peaceful and defenceless mansion of her parent, her friend, her protector, and as she then believed to deprive him of his life. She dared the traitors "to stab her to the heart, but to respect the life of her father." The soldiers themselves appalled by the greatness of her spirit, hesitated how to act, and that principle of esteem and respect which is inherent in the breast of every man who sees an amiable woman in distress, and is not himself a most consummate villain, deterred them from offering any violence to her.

I was proceeding in custody of the two soldiers already spoken of, when about thirty yards outside the gate I passed the battalion of the New South Wales Corps, advancing against the Government House, with colours flying and the drums beating the British Grenadiers. Major Johnston was at their head, and Mr. Harris, Surgeon, and Lieutenant Moore, both of the regiment, marched with them. They were likewise accompanied by Mr. Jamison, surgeon of the civil establishment, by the Blaxlands, by McArthur (who but a few minutes before had been illegally liberated from prison), and by his son, Mr. Edward McArthur, by Mr. Grimes, Principal Surveyor, and by Doctor Townson, with many others whose names it is not now necessary to enumerate. Messieurs Bayly and Blaxcell brought up the rear, composed of stragglers, who had not fallen in with the main body. On this occasion

private persons participated in the command of the soldiers (no doubt with the concurrence of their officers), as McArthur, junior, was the individual who placed a military guard on the house and papers of Mr. Atkins. 1808
27 March.

On the same night I was again alarmed by a voice at my gate, demanding if Mr. Gore was at home, and a servant replying in the affirmative, one Corporal Hughes desired to be admitted, and attended by the jailer, he proceeded to the room in which I was sitting with Mrs. Gore after supper, and told me that I must go to jail with him. Observing Mrs. Gore's distress and uneasiness, he, in the true spirit of Jacobinical equality, familiarly desired her not to make herself uneasy, as for his own part, his wife was accustomed to see him confined daily without expressing a murmur. He, therefore, recommended to her to have patience, and to be quiet, for martial law (the first we heard of it) would cease the ensuing day, and it was only intended by the New South Wales Corps to put the civil establishment on a better footing. I was then taken by my revolutionary guide, at half-past 10 o'clock at night, to the receptacle of infamy and wretchedness, without a commitment or any cause being assigned to me, except that it was by the order of Mr. McArthur. Corporal Hughes, for his active services, has been taken from his immediate military duty and attached as an orderly to McArthur, who is also, I am credibly informed, attended in his excursions to his house at Parramatta by one or two mounted dragoons, thus at once assuming the regalia and state belonging to His Majesty's representatives. Ten o'clock p.m. of the day after the Governor's arrest, the drums beat to arms, the soldiers were paraded, and the inhabitants were collected by public notice at the military barracks, when the constituted authorities of the self-created Government were announced to the publick by proclamations, by promises, and by engagements, by volleys of firearms, and by twenty-one guns that roared forth the treason of their new masters, shortly after which an orderly dragoon came to me, in jail, with the orderly book,* in which my suspension and that of the other officers who were not of their faction, and were friendly to the Governor, were announced. The names of our successors were likewise inserted in it at the same time, and several prisoners of the most notorious description were freed from their irons and let loose to prowl at large on the community, from which the most serious consequences to the public and to Government may be apprehended. Gore taken
to gaol.

Proclama-
tions read at
the Barracks
and salutes
fired.

During this night and the next three succeeding days, committees of the new self-created magistrates were engaged in searching the Governor's papers. Examining
Bligh's
papers.

* * * * *

* See the General Order of 27th January, 1808, ante, p. 453.

1808 The gentlemen whom they suspended from their commissions
 27 March. and dismissed from their magisterial duties were compelled to
 Civil officers appear in the military barracks before their justices, and were
 examined. examined on oath by them.

* * * * * * *

A general change and turn-out of all the friends and steady adherents of the Crown next followed, from the Governor himself downwards to the industrious mechanic and to the humble house-keeper.

New magistrates. All the military officers, with the exception, I believe, of three—who are, however, equally implicated with the rest—have been made justices, and the two magistrates* who some months before had been dismissed by the Governor were now reinstated in the magistracy.

* * * * * * *

John Macarthur. On the nights of the 25th, 26th, and 27th of January, liquor was liberally, and indeed profusely, served to the soldiers; bonfires blazed in all parts of the town; and those scenes of riot, tumult, and insubordination that are ever incident to the subversion of legitimate government and authority ensued. McArthur, the hero of the day, paraded the streets, in the most publick parts of which he was always conspicuous; and those individuals who had not lighted their houses were compelled to illuminate them by the serjeant-major and some chosen soldiers, who were detached on that particular service. The most insulting conduct and epithets were encouraged by the junto to be applied to the Governor and to his faithful officers, and such of his adherents as had persisted in refusing to exhibit outward demonstrations of their joy and approbation were carefully marked as the victims of future prosecution. [*Here follows an account of the trial of John Macarthur, ante p. 465, and of Gore's examination before Benches of Magistrates on two charges of misdemeanour, on both of which he was acquitted.*]

The charge of perjury against Gore. When retiring from the Court-house on Monday evening, the 25th of January, accompanied by the Governor's secretary, who had not parted from me for an instant since I had entered it, I was called back from the door by Lieutenant Moore, and on our returning to the table where the officers sat, Captain Kemp said that he would thank me to acquaint the Governor that they would adjourn untill His Excellency's pleasure would be signified to them. I made no reply, and we then withdrew from the Court-house; but Captain Kemp asserts that, in addition to the foregoing, he also told me that the Court would return Mr. McArthur to his former bail. I, however, most solemnly pledge myself to your Lordship that I did not hear him express himself to the above effect, neither do I believe that he ever had—in which asseveration I am supported

and confirmed by Mr. Griffin, who swore before two of their new justices, to whom I was taken for examination on the first of March, on a charge of "wilful and corrupt perjury," "that it was impossible for Captain Kemp to have addressed me in such words and he not hear him"; but, my Lord, admitting that he had, I insisted that I would not have been justified in permitting the prisoner to go at large upon a mere verbal indulgence granted by an individual who had no legal power of giving such; and I likewise avow that I would have held him in my own custody, or that of my officers, had I not been apprehensive of serious opposition and resistance from the military. The unbounded violence of the officers and the manifest irritation of the soldiers alone determined me to abandon the Court-house and to relinquish the custody of the prisoner at that time, in the expectation that when reason had resumed her seat, and the fervor that agitated their minds had subsided, they would have seen the propriety of not interfering with the civil authority or giving it any interruption. It is also certain that before he could again be admitted to bail it would have been regular and necessary for him to have executed a fresh recognizance to me, his appearance at the bar of the Court having exonerated his former bondsmen from the obligation of their bond.

1808
27 March.

Macarthur
at liberty.

The unfortunate Sir Henry Brown Hayes also deposed that he heard the prisoner McArthur declare in the open Court-house, and that he afterwards saw him swear, that he would decline giving any bail, and entreated the officers to give him the protection of a military guard, they being the only persons in whose hands he could consider himself secure. This unhappy gentleman was a few days after abruptly seized and taken by a constable from his dinner and sent to the Coal River as a place of punishment. His candour and veracity, when honestly delivering his testimony on oath, I fear, were at this time his only, his immediate offence; but a copy of McArthur's affidavit puts the fact out of dispute, notwithstanding which I was, on Tuesday, the first day of March, committed by Jamison and Blaxland, two of McArthur's justices, and at his instance, for trial, and on the oath of his depraved dependant, Bayly.

His appeal
to the
military.

Gore com-
mitted.

It will now, my Lord, be necessary for me to entreat your Lordship to return with me to prison on the 27th of January, from whence I wrote a letter to Major Johnston "requesting to be informed by him on what charge I was confined, and if the offence was bailable, and hoping that he would not permit the respect that was at all times due to His Majesty's commission to be violated in my person." I was answered by Mr. Bayly, who subscribed himself "Secretary to His Honor the Lieutenant-Governor," that I was to consider myself in military arrest for conspiring against the lives of the members composing the late Criminal Court, and for

Under a
military
arrest.

1808

27 March.

Gore's trial
postponed.

having by a false oath occasioned John McArthur, Esq., to be draged to prison." They have completely abandoned the first part of the accusation, as I have never since heard of it.

Examined
before
magistrates.

On the seventh of February I received a letter from the Principal Surveyor "requesting to know if I had any objections to state against taking my trial before the present Criminal Court, which was to meet to-morrow, pursuant to adjournment," to which I replied I must continue ignorant of the charge or charges alledged against me untill a Bench of Justices had on my examination decided if there was cause for my committal for trial. On the ninth of February the letter from which the following is extracted was left at my house :—" His Honor the Lieutenant-Governor has directed me to acquaint you that objections having been stated by the members composing the Court of Criminal Jurisdiction to try you, it is intended that you should be brought before a Bench of Magistrates and C. Grimes, Acting Judge-Advocate." On the 26th of February I was ordered, by a letter I received from Mr. Grimes, subscribed as the former, to attend a Bench of Justices for examination on the ensuing Tuesday, the first of March, before which McArthur appeared as my prosecutor, and when I attempted to vindicate myself from the foul charge exhibited by him against me, and to deny their jurisdiction as "having subverted and usurped His Majesty's Government," he, in the most imperious and haughty tone, interrupted me and compelled me to keep silence, and ordered his justices to do their duty, after which he insinuated to me if I would acknowledge or say that I had been forced by the Governor to swear the oath I had taken, it would exculpate me ; but spurning with scorn, and I trust with becoming indignation, the base proposition, I told him that it was my own free and voluntary act. He then rose from his seat and left the place, and, in short, they committed me, and obliged me to find bail.

Committed
for trial.The bail
bond.

A bail-bond was next brought to me in the evening for my signature from Bayly. On perusing it, I observed that from the manner in which it was worded, they meant I should have executed it to Bayly, who was a witness against me on the occasion, and not, as is usual and legal, to the justices by whom I was committed ; and, also, having perceived that the words, "to appear before the next Court competent to try me," had been studiously and designedly inserted, the obvious intention of which was to detain me in this country, and to prevent me from going to England with the Governor, the officers having already, as their Judge-Advocate informed me, stated their objections against trying me. I, therefore, declined signing it, and on the day following Jamison brought me another bond to perfect to himself and Blaxland, as the committing justices, in which "any Court before which I might hereafter be brought" were substituted for the former sentence. I remonstrated with him on the injustice and

Gore refuses
to sign.

ality of exacting such a bond from me ; that I had a right to before the next Criminal Court for trial ; and, therefore, that I should persist in my objections to sign it. Seeing my determination, he asked me to shew him the law on the subject. I did so. He seemed satisfied, and remarked that certainly I ought to have justice done to me. He then went away, and on the 6th of March was under the unavoidable necessity of executing the bond to appear to take my trial before the Criminal Court next ensuing.

1808

27 March.

On the 19th of March I got notice of trial for the following day, the 28th instant, although nearly a week before, by a previous exercise of their assumed power, they deprived me of one of my best witnesses, viz., Sir H. B. Hayes, exclusive of making of the Navy officers members of the Court, who, I was already informed by Grimes, had stated objections against trying me. After I had been put to the bar, Grimes read an instrument purporting to be the Lieutenant-Governor's precept for convening the Court, and asked me if I had cause of challenge against any particular member. I replied that I had in my hand a paper which I begged their indulgence to read. The former question

Date of
Gore's trial
fixed.

was again repeated to me by Grimes. I renewed my request, saying that the paper I held in my hand contained my objections generally. I was then reluctantly permitted to read it, after which the Court was cleared, and in two minutes opened again, when I was again asked by Grimes if I could make any particular challenges. I thereon objected to Mr. Symmons sitting on the Court, although his name was inserted in what they called the Lieutenant-Governor's precept as the senior member, he either having no rank, or if any but that of a midshipman in His Majesty's Navy ; to Mr. Ellison for the same cause ; and I summarily challenged Captain Abbott on the additional ground of having prejudged me. Grimes then told me my trial must be deferred to a future period, when officers might arrive who would be competent to try me, and ordered McKay to take me to jail, where I have since been confined to the present hour, the 16th of April,* under circumstances of extreme and peculiar rigour, being confined in a cell 12 feet long and 6 wide, the door of which is locked on me thirteen hours and a half out of the twenty-four hours, during which time no friend is permitted to have access to me, and no aperture by which the daylight can be admitted ; indeed, it often happens that in obedience to the whim and caprice of tyrants, who are adepts, I assure your Lordship, in refining cruelty, that they will prevent any person to whom they might give I am partial, or who may be useful to me, from calling on me.

Gore
challenges
members of
Court.In close
confinement

* * * * *

It is evident from this paragraph that, although the letter was dated 27th March, and probably, commenced then, it was not completed until some time afterwards.

1808
27 March.

There was not, my Lord, a colourable pretext of any circumstance of injustice or of oppression committed by Governor Bligh to warrant the illegal and atrocious act that has been perpetrated here, particularly by the military, who had no cause of complaint whatsoever, for they were well clothed, regularly paid, and I have heard their officers repeatedly say that they had never a better ration of provisions ; but the source from whence has sprung all our present misfortunes is to be traced step by step downwards from McArthur, through the officers, and so on to the non-commissioned officers and privates.

* * * * *

I have, &c.,

WILLIAM GORE

GOVERNOR BLIGH TO MAJOR JOHNSTON.

28 March.
Bligh asks
for his
papers and
books.

Sir, Government House, Sydney, 28th March, 1808.

I have to request to be informed when I may expect all the books and papers, public and private, which were taken from me by a committee appointed by you for that purpose, on the 28th January, and of which an account was taken, will be returned to me (excepting the public registers and indents of prisoners) ; also my Commission as Governor of His Majesty's territory of New South Wales and its dependencies, and that of Vice-Admiral of the same.

I am, &c.,

W^M BLIGH

MRS. FLINDERS TO SIR JOSEPH BANKS.,

Putney, 28th March, 1808.

Flinders's
release

I TAKE the liberty of once more addressing Sir Joseph Banks, to inform him that last night I rec'd a letter from Capt. Flinders, which brought me the pleasing intelligence that, in July last, the orders for his liberation reached the Isle of France. If Sir Joseph will allow me, I will make an extract from Capt. F's letter for his information, supposing it possible Capt. F. might not be able to write to any one save myself :—

still
uncertain.

“ Aug't 12th, 1807.—At length orders have arrived here to set me at liberty, and to restore to me my vessel. They are dated March 21st, 1806,* and, it appears, had been sent before from France by three different opportunities ; but the ships have, apparently, been stopped by our men-of-war, and, of course, the dispatches thrown into the sea. This was sent from Paris to London, thence to India, and from India was forwarded here by a frigate sent by Sir Edward Pellew. It is now three weeks since the orders were rec'd, but this despotic Governor will not yet fix upon the time when he will let me go, nor the means, nor the route. He has

* The full text of the French Marine Minister's letter to General De Caen will be found in Flinders's *Voyage to Terra Australis*, vol. ii, p. 460.

however, told me that 'when the time of my departure shall be fixed, I shall fully enjoy the favor granted me by His Majesty the Emperor and King.' Upon the whole, I think it probable that I shall be sent to India in a cartel now lying here, and that the time of our departure will probably be one month hence. In this case, I hope to be in England about April or May."

1808
28 March.

I, perhaps, ought to apologise for this long quotation, but I flatter myself it will not be unacceptable to Sir Joseph Banks. I beg to assure him that I am, with much respect and gratitude, his most obedient servant, and much obliged,

A. FLINDERS.

MAJOR JOHNSTON TO LIEUTENANT SYMONS.

Sir, Headquarters, Sydney, 29th March, 1808.

29 March

I have to request you will have the goodness to send me an official answer to my last letter respecting the accommodation of the late Governor.

Bligh's accommodation on the Porpoise.

Permit me, at the same time, to recommend to your consideration whether it might not be a pleasing circumstance to His Majesty's Government in England if you were to offer the whole cabin.

I am, &c.,

GEO. JOHNSTON.

LIEUTENANT SYMONS TO MAJOR JOHNSTON.

His Majesty's Ship Porpoise,

Sir, Sydney Cove, 29th March, 1808.

I should have answered your official letter of 27th* had I conceived it required one, but I had previously determined to allot two-thirds instead of half the cabin of the Porpoise for Capt'n Bligh's accommodations, and I have given such directions to the master-carpenter; and it is not consistent with the nature of the service for me to dispossess any of the other officers of their apartments, which must be the case if I give up my own altogether.†

Bligh may have two-thirds.

I have, &c.,

J. SYMONS.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir, Government House, Sydney, 29th March, 1808.

I am under an arrest by your orders, with further injunctions that if I communicate with the officers of His Majesty's ship Porpoise, it will be considered as a breach of the said arrest. The Lady Nelson is now arrived with Lieutenant Kent. I therefore, under the authority of the naval commissions I hold, inclose to

Arrival of Lieutenant Kent.

* Ante, pp. 550, 551.

† Johnston sent this correspondence to Bligh, who replied that if the master carpenter would call on him everything could be easily regulated. In any case, Lieutenant Symons could have no part of his (Bligh's) cabin.

1808
29 March. you a letter to Lieutenant Kent, who is the legal first lieutenant of the Porpoise, which letter I request, in the name of my Lords Commissioners of the Admiralty, may be delivered, it containing my warrant to him to command His Majesty's ship Porpoise.*

I am, &c.,
W^m BLIGH.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sir,

29th March, 1808.

Rations for
the voyage.

I am ordered by His Honor the Lieutenant-Governor to inform you, in reply to your three letters of the 27th and 28th inst.,† that he proposes to victual the persons who may attend you in England on a two-thirds ration equally to what he understands is the rule of the service; but if you desire that a larger allowance may be given to them, it will be readily complied with on the condition of your holding yourself responsible to Gov't for the expense.

The master
carpenter.

W. Moore, the master carpenter, has had orders to attend you to receive your instructions for fitting up your accommodations on board His Majesty's ship Porpoise in any manner you may like, and the accompanying correspondence will explain how much the Lieutenant-Governor has endeavoured to obtain the whole cabin for your use.

Bligh's
papers and
books.

Such books and papers as the Lieut.-Governor does not consider it needful to retain will be sent to you on Friday morning.

I have, &c.,

NICHOLAS BAYLY,
Secretary.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

30 March.

Sydney, 30th March, 1808.

Johnston
lays down
conditions.

I AM directed by His Honor the Lieutenant-Governor to wait upon you, sir, and acquaint you that after considering your letter of this day's date (inclosing an order to Lieutenant W^m Kent to take upon himself the command of His Majesty's ship Porpoise) that His Honor will cause that order to be forwarded to Lieutenant Kent provided you think it proper to subscribe the following conditions:—First: That you will not hereafter attempt to plead your hav'g been permitted to give Lieut't Kent an order to assume the command of His Majesty's ship Porpoise as a precedent which can justify you in giving any future orders respecting His Majesty's ship until His Majesty's pleasure shall be known. Secondly: That you will write to Lieutenant Kent a letter (to be transmitted to

With the letter were enclosed a short covering note to Lieutenant Kent and a formal warrant directing him to take charge of the Porpoise.

† The letter of the 27th was a short formal note from Bligh to Johnston, asking him what ration of provisions would be allowed to each person who embarked with him on the Porpoise; and the letter of the 28th was a request to be allowed to communicate direct with the vessel, or for the master carpenter to wait on him for orders.

him by His Honor the Lieutenant-Governor) wherein you shall pledge your word of honor as an officer that you will not, after your embarkation on board His Majesty's ship Porpoise, assume any command or consider yourself in the said ship otherwise than as a passenger, subject to the restraint of the military arrest in which you have been placed by His Honor the Lieutenant-Governor.

NICHOLAS BAYLY,
Secretary.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir, Government House, Sydney, 30th March, 1808.

I have received your written message by your secretary, Mr. Bayly, of this day's date. My zeal for the public service, and a point of honor to you, sir, induced me to send Lieut. Kent's commission as commander of His Majesty's ship the Porpoise to your care, to be transmitted to him. I also inform you I cannot enter into any further conditions than I have already agreed to.

1808
30 March
Bligh
refuses to
accede to
Johnston's
conditions.

I am, &c.,
W'M BLIGH.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sydney, 30th March, 1808.

HIS HONOR the Lieutenant-Governor desires that you may be apprised of his intentions as early as possible, has directed me to wait upon you for the purpose of communicating that he has determined on your taking your passage to England in the Dart, the reasons for which will be fully explained to you to-morrow morning.

Johnston
threatens to
send him
Home in the
Dart.

N. BAYLY,
Secretary.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sir, Sydney, 31st March, 1808.

31 March.

I am directed by His Honor the Lieutenant Governor to acquaint you, in explanation to the reasons that have made him determined to send you to England in the ship Dart, that he conceives your refusal to sign the conditions communicated to you in my message of yesterday as a clear indication that you must have it in contemplation to evade or disregard the obligation imposed on you in my letter of the 19th inst. as follows:—"You will be convinced that there are insuperable objections to your going on board the Porpoise unless at your own particular request, and under a solemn engagement, on your word of honor as an officer, that you will not attempt to assume any command, and that you will consider yourself under arrest until His Majesty's pleasure shall be signified on your supercession. On these conditions being acquiesced in, the Lieutenant-Governor has commanded me to inform you that a requisition shall be made to Capt. Symons to receive you and your family on board, and to proceed to England,"—

Johnston's
reasons for
so doing.

The con-
ditions on
which Bligh
would be
given the
Porpoise.

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1808

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Porpoise.

1808
31 March. which obligation you have absolutely pledged yourself to conform to in your letter of the 24th, wherein you state that "the Dart being the only vessel offered besides His Majesty's ship Porpoise, and having very sufficient and satisfactory reasons for objecting to proceed in that vessel, as I shall make appear to His Majesty's Ministers and my Lord's Commissioners of the Admiralty, I do, on that account only, agree to take my passage in His Majesty's ship Porpoise on the conditions prescribed by you in your Secretary's letter of the 19th inst."

Bligh agrees to the conditions,

but intends to ignore them.

An officer's word of honor.

His Honor is further confirmed in his opinion of your intentions from my relation of the conversation I had the honor to hold with you last night, wherein, no doubt, you will recollect you declared in the most pointed manner that you would take the command of the Porpoise as soon as you went on board. In communicating this conversation to the Lieutenant-Governor I did not omit to repeat the arguments you urged in defence of the resolution you had formed; but the Lieutenant-Governor, so far from being convinced by those arguments, is decidedly of opinion that no obligation can be so binding on an officer as his parole of honor, and that any attempt to evade such a pledge is disgraceful to the party and degrading to His Majesty's service.

I am further directed to express the Lieutenant-Governor's deep concern at being obliged to make such remarks upon any part of the conduct of an officer so circumstanced as yourself, and that nothing but a desire to prevent his own intentions from being misrepresented could have induced him to enter into this explanation.

I have, &c.,

NICH. BAYLY,
Secretary.

GOVERNOR BLIGH TO MAJOR JOHNSTON.

Sir, Government House, Sydney, 31st March, 1808.

Bligh's reply to Johnson.

I have this day rece'd a letter from your secretary, Mr. Bayly, stating it to be written by your directions as an explanation of the reasons that have made you determine to send me to England in the ship Dart, which shall be duly presented to His Majesty's Ministers. The language he has been pleased to use is not that which will be justified, and it is peculiarly to be noticed under my present situation, while it is necessary to say your reasoning is wrong and not founded on the whole of the case.

He explains his intentions.

My letter of last night informed you that I could not enter into any further conditions than I had before agreed to. Those I still pledge myself to abide by, and the letters respecting which will speak for themselves; but last night Mr. Bayly seemed to have such doubt that I declared it could not possibly be supposed that the arrest I was under by you should deprive me of fighting His Majesty's ship Porpoise with any enemy's ships I might meet,

and which has no connection with that arrest. My right is to be allowed to go Home in His Majesty's ship Porpoise. I have appointed a commander, whose duty will rest with himself, and he is bound to account for me, living or dead, to my Lords Commissioners of the Admiralty, stating the arrest to which I was to answer.

1808

31 March.

I imagine it is from your not being acquainted with the Naval Service that you required me to write the letter you did to Lieut. Kent; but to add to the information I had before given you, I sent by your secretary the naval Article of War, which I suppose you can have no power to counteract. As captain, therefore, of His Majesty's ship Porpoise, and Commodore commanding His Majesty's ships and vessels in these seas, I do again request to go on board the Porpoise, where proper accommodations can be fitted up for the officer who attends me officially from you, and with whom I engage to present myself to the first General Officer he finds it his duty to attend on when we arrive in England.

The rules of the Navy.

I am, &c.,

W^M BLIGH.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

Sir,

Headquarters, Sydney, 1st April, 1808.

1 April.

I am directed by His Honor the Lieut.-Governor, in reply to your letter of yesterday, delivered this morning, to say that he neither can nor will be led into a controversial correspondence on matters of opinion. You must be sensible, sir, that the Lieut.-Governor's anxiety to send you Home in His Majesty's ship Porpoise originated in a sincere desire to secure you suitable accommodations, and not to separate you from your family. This, however, His Honor was aware could not be allowed without either permitting you to take the command of the Porpoise or obtaining from you a solemn pledge that you would not attempt to assume any command on board her, but consider yourself as a prisoner under the restraint of the arrest in which it has been found expedient to place you.

Johnson's motives and views.

To this condition, sir, you did conform in the most unqualified manner in your letter of the 24th of March; and when you were called upon to confirm this compliance by writing such a letter as might justify the officer who should receive you as a prisoner on board His Majesty's ship, you absolutely refused so to do, and demonstrated by such refusal that it was your intention to take the command. Surely, sir, it will not be denied that such a design, if carried into effect, would be a breach of your engagement. I am, therefore, directed by His Honor the Lieutenant-Governor once more explicitly to inform you that unless you sign the conditions prescribed you will be required (and if needful obliged) to embark on board the ship Dart on Sunday morning, where the best accommodation will be provided that vessel can afford for you and any gentlemen you may think proper to take with you.

Bligh must relinquish command of Porpoise, or sail in the Dart.

N. BAYLY,

Secretary.

1808

NICHOLAS BAYLY TO GOVERNOR BLIGH.

1 April.

Headquarters, Sydney, 1st April, 1808.

I AM directed by His Honor the Lieut.-Governor to announce to you, sir, that the Government papers were searched this morning, in consequence of a rumour that a communication had been made in the year 1801* from His Majesty's Secretary of State of the appointment of Lieut.-Colonel Paterson to the office of Lieut.-Gov'r of this territory, and that the document so spoken of has been found.

Johnston
sends for
Paterson.

This circumstance has impressed on the Lieut.-Gov'r the necessity of referring to the consid'on of Lieut.-Gov'r Paterson all the cir's'ces connected with, or relating to, the restraint that has been imposed upon you, and has induced him to determine upon immediately despatching His Majesty's ship Porpoise to Port Dalrymple for the purpose of bringing His Honor Lieut.-Gov'r Paterson to this settlement, that he may decide on the measures proper to be adopted towards you in the present crisis.

Actuated by the same motives which have uniformly influenced his conduct, His Honor has embraced the earliest moment to acquaint you of his intentions, and to inform you that your departure from hence will be delayed until the arrival of Lieut.-Gov'r Paterson.

NICHOLAS BAYLY.

DR. TOWNSON TO VISCOUNT CASTLEREAGH.

[Extracts.]

2 April.

My Lord,

Sydney, 2nd April, 1808.

* * * * *

Dr. Townson
wishes to
settle at the
Derwent.

In this state† were matters when I address your Lordship about six months ago, when, seeing Governor Bligh so little disposed to execute the well-advised liberality of His Majesty's Ministers, I went in His Maj. ship Porpoise to the Derwent, but Gov'r Bligh would not suffer me to take my stores with me. I liked the Derwent; I fixed on my land; and Gov'r Collins seemed pleased that I should settle under his government, and, at my request, wrote to Gov'r Bligh to facilitate my coming to him with my stores, &c. But Gov'r Bligh refused to let me go in the Porpoise, bound for this place; and, as it would have cost me several hundred pounds to charter a vessel, I was obliged to give up my intention, and endeavour to settle here. I was now again harast, for though Gov'r Bligh has suffer'd my brother, after waiting a year and a half, to take his 2,000 acres together (without a grant), near George's River, he would allow me to take only

Bligh
unwilling to
give land
grants.

* The Commission appointing Paterson Lieutenant-Governor, in the room of Colonel Gore, was dated 9th June, 1801 (vol. iv, p. 392). For nine months prior to that date he had, however, held the position, by appointment of Governor King, subject to the approval of the British Government (ib. p. 208).

† This letter opened with a recapitulation of the contents of Townson's letter to Windham, of 10th October, 1807, ante p. 299.

20—500 at the Devil's Back, above 20 miles distant, &c., &c. Not content with thwarting me in this, he gave an order that half my cows should be of the Bengal breed—a breed of cows of little value; yet I was to pay the same price for them.

1808

2 April.

Whilst I was contending, though unsuccessfully, for those advantages I had been promised, and which I had come so far to obtain, whilst every man was complaining of some unkind treatment, harsh usage, or mortification he had received from the Governor, [he] thought proper to call the members of the Criminal Court, composed of military officers, before him, when they thought proper to put him under arrest; and so, my Lord, my business rests. I have been 10 months in this colony, and it is nearly two years since I transacted my business at your office, and received Sir George Shee's letter, and I have not yet obtained my land, nor a single head of cattle; yet no one can say it is only my own fault. In my last interview with Gov'r Bligh, I referred to your Lordship's letter to Gov'r King, dated 13 July, 1806, and asked him whether I was not entitled to be considered as one of the respectable settlers alluded to in your Lordship's letter. He said certainly I was, nor did he ever pretend to doubt of the authenticity of Sir Geo. Shee's letter. The plain truth, my Lord, I believe, is this: his bad heart leads him to consider every man of talent, fortune, or respectability, as a rival, or as a spy on his conduct, and he used his immense discretionary power to annoy them.

Bligh arrested.

As I have a copy of your Lordship's liberal letter to Gov'r King in favour of respectable settlers, and as Mr. Windham, in his letter to Governor Bligh, refers to your Lordship's letter, from the handsome manner he received me, complied with my request, used his influence with the Treasury that I might take with me some wine and spirits duty free, and afterwards ordered that I might be allowed to take some in at any of the foreign ports we might touch at, I am confident that it was the intention of His Majesty's Ministers that we should be received in this colony with kindness, and treated with liberality; but the reverse has been the case, and thus it is that our spirits are broken, and our fortunes injured, before we even begin the arduous business of forming our settlements. Your Lordship will not wonder that my patience is exhausted, and my fortune injured, by these delays.

Intentions of the British Government.

A great event has taken place. Gov'r Bligh has been arrested, and the power is now in the hands of the military, and Captain McArthur, under the title of Colonial Secretary, does everything. Is this likely to be productive of good? The military influence, and the character of Captain McArthur, are well known to those gentlemen who have had the honor of governing this colony. As the more important politics of Europe may prevent His Majesty's Ministers from attending to the concerns of this distant colony, and as I see no prospect of a favourable change but through a

The military influence.

1808

2 April.

Townson
anxious
to return.An unhappy
settler.How
fortunes
were made.Convicts
engaged in
traffic.Agricul-
turists
neglected.

firm, upright, and able Governor, assisted by a Judge-Advocate—an upright man, and bred to the law—I hope your Lordship will not think me peevish and irresolute when I request to be allowed to sell my land and stock, should I have any, and return to England. Without permission I cannot sell my land till I have had it five years, nor my cattle till the 3rd generation. This is a wise regulation to prevent jobbing in land and cattle; but no man will doubt that I came out *bona fide* to settle, and only return from the opposition I have met with and the vexation I have suffered. This, perhaps, is the only way I can obtain any indemnification for the loss of fortune and time, and for the many vexations I have endured. Pardon me, my Lord, if I write freely. The ten months I have past in this colony have been the most unhappy of my life; but should His Majesties Ministers be determined to raise this unfortunate settlement to a respectable colony, and to that end send out able and upright men to govern us and preside in our courts of justice, I shall then be willing to stay, and I then only ask, as I have suffered so much from delay, to be put more on an equality with the great landholders, the Blaxlands and McArthurs. Was my land to be doubled I should then only have half as much as they have.

Your Lordship may perhaps have heard of the many fortunes made in this country, and therefore think the advantages already given me, or rather ordered to be given me, by Government, sufficient. There is not, my Lord, a single man in the colony who has made even a small fortune by farming or any kind of agricultural pursuit. These fortunes had their foundation laid in the earlier times of the colony, when the officers, civil and military, were allowed an underhand kind of traffic in spirits, &c., and were also allowed a great many men victualled at the expense of the Crown. Their stock of cattle has now become considerable, and they are now in easy circumstances. Many of the convicts have acquired small fortunes by traffic. Where the prices vary so much as they do here, a little fortune may be made by a lucky adventure. A convict touching at Rio and laying out a hundred pounds in tobacco might sell it at this moment for about four thousand pounds. It would be the same with many other articles, for writing-paper was lately sold at two guineas a quire. But so much the worse for the industrious settler or country gentleman. It raises his domestic expenses; he is crippled by poverty or completely ruined before he has time to derive any benefit from it, and has the mortification of seeing men of the basest origin, and sent here for their crimes, rising above him; and here, as everywhere else, it is difficult to support one's rank and respectability of character when harrassed by want. I regret that I am compelled to say that I have seen in the Government here nothing corresponding with the liberal spirit of your Lordship's letter to

Gov'r King—nothing of a kind and fostering nature, but the reverse—otherwise I might have been comfortably settled on my farm and beginning to enjoy a portion of leisure which I expected when I invited (conjointly with the Hon. C. F. Greville) Mr. Windham to send out with me a laboratory and a small collection of books, that as a man of science I might be of use to the settlement ; but, alas ! all my pleasing prospects of this nature are gone, and if I can save myself from ruin this is all I can now expect.

1808
2 April.

I am, &c.,

ROBERT TOWNSON, LL.D., F.R.S.E.

Author of the "Philosoph. of Mineralogy," "Travels in Hungary,"
"Tracks in Nat. Hist.," &c.

PROCLAMATION.

3rd April, 1808.

3 April.

WHEREAS Oliver Russell, master of the ship Brothers,* and Robert Daniels, acting chief mate of the said ship, were on Wednesday, the 30th day of March last past, convicted of the crime of perjury by the Court of Criminal Jurisdiction then sitting, and sentenced (under the authority of an Act of 2'd Geo' 2'd)† to be transported for seven years ; and whereas it appears the said Oliver Russell and Robert Daniels were never indicted in due form of law before the said Court for the said crime of perjury, nor allowed the means of justification to which they were by law entitled, His Honor the Lieutenant-Governor, actuated by an anxious desire to preserve the rights and liberties of Englishmen inviolate, and to convince strangers resorting to this colony that they have nothing to apprehend from the oppression of power, from whencesoever proceeding, hereby annuls and declares invalid the sentence of transportation pronounced against the said Oliver Russell and Robert Daniels, and restores them to all the rights and priviledges they were possessed of before the aforesaid sentence was pronounced.

Sentenced
for perjury.

An illegal
procedure.

LIEUTENANT-GOVERNOR COLLINS TO GOVERNOR BLIGH.‡

Dear Sir,

Hobart Town, 4th April, 1808.

4 April.

It was with the utmost concern I heard by a letter from Major Johnston of the unprecedented attack made by that officer upon your person and Government on the 26th January last. Of the circumstances which led to this desperate and illegal proceedings I am only generally informed, nor can I deem them such as

Collins on
the arrest of
Bligh.

* This was the vessel in which John Blaxland came out, and of which he was a part owner. Blaxland quarrelled with Captain Russell, and endeavoured to take the command from him. The matter was taken into Court, and, on the ground that Russell and Daniels had made false statements, the Court immediately sentenced them to seven years' transportation. Macarthur, however, appears to have sympathised with, if he did not actively assist, Russell and Daniels, and they were liberated. Eventually Russell sailed in charge of The Brothers for England on 2nd May, 1808.

† 2 Geo. II, c. 25, "An Act for the more effectual preventing and further punishment of forgery, perjury, and subornation of perjury."

‡ This letter was sent to Bligh secretly by the ship Rose.

1808

4 April.

to warrant such a dereliction from the duty and subordination which were due to you as the representative of our Sovereign in this part of his dominions. Had not Major Johnstone's signature been to the letter in which he officially informed me of the violent and highly responsible measure he had resorted to, I never could have believed that any officer bearing the King's commission would have dared to have advanced one step towards overthrowing the executive authority of the Government which he was bound to protect and support.

His
disapproval
of the step,

Feeling as I do upon this unhappy business, I beg you to be assured it never can meet with my approval or countenance, and I at this moment particularly regret the loss of your advice and opinion upon many points respecting the Norfolk Island settlers, whereby His Majesty's service may eventually be injured.

and consoles
with Bligh
and his
daughter.

Allow me, sir, to offer my condolence to yourself and Mrs. Putland on the melancholy event which has lately taken place in your family, and to express my sincere wishes for your safe and speedy arrival in England, where a certain triumph over your few enemies will undoubtedly attend you, and what I trust will be a greater and more permanent satisfaction, His Majesty's approbation of your conduct in the execution of the high commission with which he had invested you.

It would give me the greatest pleasure to be honoured with the knowledge from yourself that you are in health, and that no further indignity has been offered to your person.

I remain, with every wish for your welfare, and sentiments of respect,

Yours, &c.,

DAVID COLLINS.

GOVERNMENT AND GENERAL ORDER.

5 April.

5th April, 1808.

His Honor the Lieu't-Governor has been pleased to approve and accept of the resignation of Charles Grimes,* Esqu're, as Acting Judge-Advocate.

Grimes,
Harris, and
Symons.

His Honor has further to signify that he has no further occasion for the services of Charles Grimes, John Harris, and James Symons, Esquires, as magistrates.

The additional charges on the importation of cedar from Newcastle having totally destroyed the trade in that article, it is hereby directed that in future no further charge shall be made on cedar upon account of Government than three half-pence per superficial foot.

THOMAS ARNDELL TO SECRETARY GRIFFIN.

11 April.

Sir,

Sydney, 11th April, 1808.

I signed a paper a few days subsequent to the 26th January, expressing my disapprobation of a paper which I signed not long before, which paper contained thanks to Governor Bligh for his

* Grimes sailed for England in the Dart (20th April, 1808) with Johnston's despatches.

Lawrence had been ordered to go - some before me this day - and
after that he was the man on duty on the 26 January
after the explosion had taken the Cannons and - Law was ordered
to stand for the late Gov: Blyth - that on himself and others
of the number of defendants - examining a deacon up stairs in
the Government House - where a servant slept - he put a marker
under the Bed - and touched Blyth - which made him make
a noise - and on seeing - caught her: Blyth by the collar
and dragged her out - on her getting up her: Blyth put
his hand on her bosom - and said: supposing the one could
have arms - told her - if he attempted to arrest - he would
put her to death - and on her: Blyth declaring he had no
arms -

the lawyer and came - who as the notar came in - when
Gov: Bligh said to the deputies that if he had done
any thing wrong - he was lead to it - Mr Morrison
on coming in asked the Governor his person was perfectly
safe - and offered his arm - to take him to the prison
who was never there - Bligh further says - that he had
twice examined the prisoner - before - the Gov - staid had no
curtains - and was extremely low - Gov: Bligh was on his
full uniforms - with his side arms - and the dad on

Governor before ever.

11 Feb 1808

E. A. Holt J. P. John A. Mollough

indness to the people and good government of them. I now most solemnly declare that I signed that paper subsequently to the 26th January through fear, and without so much as knowing the contents at the time I signed it. It might have contained more than I have expressed, but I don't know what they are.*

I am, &c.,

THOMAS ARNDELL.

DEPOSITION OF LANCE-CORPORAL MARLBOROUGH.

LANCE-CORPORAL MARLBOROUGH came before me this day, and deposes that he was the man on duty on the 26th January, after Major Johnston had taken the command, and was ordered to search for the late Gov. Bligh; that on himself and a soldier of the name of Netherland examining a scalene upstairs in the Government House, where a servant sleeps, he put a musket under the bed, and touched Gov. Bligh, which made him make a noise, and, on feeling, caught Gov. Bligh by the collar, and dragged him out. On his getting up, Gov. Bligh put his hand in his bosom, and dep't, supposing he might have arms, told him if he attempted to resist he would put him to death; and on Gov. Bligh declaring he had no arms, dep't told him he would treat him like a gentleman; and on Gov. Bligh asking dep't what he was going to do with him, was informed that he would keep him until the adjutant came, who at the instant came, when Gov. Bligh said to the adjutant that if he had done anything wrong he was lead to it. Mr. Minchin, on coming in, assured the Governor his person was perfectly safe, and offered his arm to take him to the Major, who was downstairs. Dep't further says that he had twice examined the scalene before. The bedstead had no curtains, and was extremely low. Gov. Bligh was in his full uniforms, with his side-arms and medal on.†

A soldier's story.

MICH'L MARLBOROUGH.

Sworn before me, 11th of April, 1808,—

E. ABBOTT, J.P.

MAJOR JOHNSTON TO VISCOUNT CASTLEREAGH.‡

Headquarters, Sydney, N. S. Wales,

My Lord,

11th April, 1808.

A series of almost incredible circumstances have imposed on me the distressing task and responsibility of superseding the authority vested in Governor Bligh by His Majesty's Commission,

The deposition of Governor Bligh.

* Arndell's tortuous recantations are not easily followed. First he signed the address to Bligh of 1st January, 1808, ante, p. 410; then he signed the address to Johnston of 30th January, 1808, ante, p. 458, in which it is stated that the previous address was signed under fear of impending calamities; then he informs Griffin in the above letter that it was fear of Johnston which made him state he was afraid of Bligh. If Arndell, who, as an Assistant Surgeon, must have been a man of some education and intelligence, admits that no importance could be attached to the appearance of his name to these various addresses, and that he signed them without knowing their contents, how much less weight can be placed upon those of others, many of whom could neither read nor write.

† See Bligh's account, quoted in the Introduction to this volume.

‡ Bligh insinuated (*Trial of Lieutenant-Colonel Johnston*, pp. 389, 391) that Macarthur was the real author of this despatch.

1808

11 April.

Johnston's
motive in
making the
arrest.

and of assuming the government of this colony until His Majesty's pleasure shall be signified, or until the arrival of an officer authorized to relieve me in the command.

Whenever the facts that have influenced me throughout so solemn a transaction shall be laid before my gracious Sovereign, I humbly trust His Majesty will approve of my conduct, and that it will be apparent I had no alternative but to put Governor Bligh in arrest to prevent an insurrection of the inhabitants, and to secure him and the persons he confided in from being massacred by the incensed multitude; or, if the Governor had escaped so dreadful an end, and retained his authority, to see His Majesty's benevolent and paternal government dishonour'd by cruelties and merciless executions.

Delay in
reporting to
Home Office.

The event that I have the honor to report to your Lordship, took place on the 26th of last January, and although such a space of time has since elapsed, I have found it impossible to prepare that arranged detail, and that connected chain of evidence which so uncommon a subject has made it my indispensible duty to transmit to your Lordship.

Bligh's
alleged
betrayal of
trust.

Why I have been unable to perform this task, I shall as I proceed endeavour to explain, and I respectfully hope that the information and the evidence which I now propose to forward will prove to your Lordship that Governor Bligh has betrayed the high trust and confidence reposed in him by his Sovereign, and acted upon a predetermined plan to subvert the laws of his country, to terrify and influence the courts of justice, and to bereave those persons who had the misfortune to be obnoxious to him of their fortunes, their liberty, and their lives.

The rights of
the subject.

In the accomplishment of this plan, one act of oppression was succeeded in a progressive course by a greater, until a general sensation of alarm and terror prevailed throughout the settlement. Several inhabitants were dispossessed of their houses, and many others of respectable characters, or who had become opulent by trade, were threatened with the Governor's resentment if they presumed to build upon or alienate their own lands.

Bligh's
advisers.

These measures, and various other acts of violence were projected and supported by the Governor and a junto of unprincipled men, amongst whom it was well known, and has been since proved, the notorious George Crossley, sent to this colony for perjury, was the principal person, and the one most confided in by the Governor.

Your Lordship will not be surprized that a Government conducted by the aid of such a minister, should be hated and detested, as well as feared.

Effect on
the better
class of
colonists.

All the inhabitants who were a little advanced in their circumstances beyond the common mass dreaded the approach of the moment when it should become their turn to be sacrificed to the avarice, the resentment, or the fury of the Governor and his friends.

But whilst they were trembling with apprehension for their own safety, the eyes of the whole were suddenly turned from the contemplation of the general danger to that of Mr. McArthur, a gentleman who was many years an officer in the New South Wales Corps, and who now possesses a large property in this country.

1808

11 April.

The extent of Mr. McArthur's estate, the number of his flocks and herds, it had been long seen, had made him extremely obnoxious to Gov'r Bligh. Mr. McArthur, sensible how much he had to dread from the ill-will of an officer of the Gov'r's well-known character, endeavoured to provide for his security by the most scrupulous circumspection and prudence of conduct. Secluded in a profound retirement on his estate, and unceasingly engaged in its management and the care and education of his children, his name was never heard of in any public business; but neither caution nor prudence could long shield him from the hostile spirit of the Gov'r. The attack was first commenced upon his reputation, and terminated in the imprisonment of his person in the common gaol.

John
Macarthur.A model
citizen.

After a variety of introductory measures, which your Lordship will find detailed in the copy of the proceedings of a Court of Criminal Judicature,* to which I shall hereafter refer, Mr. McArthur surrendered as a prisoner at its bar on the 25th of last January, charged with two separate misdemeanours. When the members of the Court had been sworn in, and they were proceeding to swear in Richard Atkins, Esquire, the Judge-Advocate, Mr. McArthur presented a protest, in which he urged a variety of objections against that officer's presiding at his trial. Mr. Atkins endeavoured to prevail upon the Court not to receive or hear the protest read; but the members, being of opinion it ought to be heard, directed Mr. McArthur to proceed. The Judge-Advocate then retired from his chair, and waited until Mr. McArthur had read the protest. When that was done he advanced again, and declared Mr. McArthur should be immediately committed to gaol. The Court then interfered on behalf of Mr. McArthur, and, after a long altercation, the Judge-Advocate retired from the Court-house, leaving behind him his papers. These were immediately taken possession of and examined by the members, and those papers led to a discovery that the whole plan of the trial had been arranged, and every question prepared that was to be asked the evidence of the prosecution by the infamous Crossley.

The trial of
Macarthur.

An immediate correspondence† ensued between the members of the Court and the Governor, in which the members maintained the propriety of Mr. McArthur's objection to the Judge-Advocate; and the Governor as strenuously insisted upon the Judge-Advocate presiding at the trial.

Correspond-
ence
between
Bligh and
the officers.

* See the Proceedings of the Bench of Magistrates, ante, p. 477, and those of the Criminal Court, ante, p. 422.

† See this correspondence, under date 25th and 26th January, 1808, ante, pp. 422, 433.

1808

21 April.

Whilst this correspondence was carrying on, Mr. McArthur received information from several persons in the Court that a number of armed constables (most of whom were convicts) were parading without the door for the purpose of seizing his person and dragging him to gaol.

Macarthur's
appeal for
military
protection.

As many of these men were of the most infamous character and entirely devoted to the Provost-Marshal, who is himself an abandoned and unprincipled person, Mr. McArthur was advised by his friends to appeal to the Court for protection against the danger to which he would be exposed on leaving the Court-house. The Court, considering the appeal to be well founded, transmitted Mr. McArthur's deposition to the Governor, with a letter recommending that the protection Mr. McArthur had required might be given to him; but no answer having been received at four o'clock, the Court remanded Mr. McArthur to his former bail and adjourned.

Johnston on
a sick-bed.

The same evening I received a letter from the Governor requesting to see me without delay; but as I was then at my country house, about four miles from the town, where I had been confined that day, scarcely able to move and incapable of writing, occasioned by a violent hurt I had received from the oversetting of a gig, I was under the necessity of returning a verbal answer by the Governor's orderly, signifying that it would not be in my power to attend him.

Macarthur
arrested on
an escape
warrant.

The following morning Mr. McArthur was apprehended by a warrant from the Judge-Advocate and three magistrates, granted in consequence of a deposition from the Provost-Marshal, who falsely swore that Mr. McArthur had been set at large by the Court of Criminal Judicature, although he had received a notification from the members previous to their adjournment that Mr. McArthur was remanded to his former bail.

Effect on the
minds of
citizens.

A very awful impression was made upon the minds of the inhabitants, as I have been informed, when they saw Mr. McArthur taken to the gaol. Many respectable persons hastened to him: and when the Court assembled at ten o'clock his two bondsmen presented a copy of the warrant for his apprehension and a deposition from themselves.*

The Court directly wrote to the Governor a letter expressive of their concern, and praying Mr. McArthur might be restored to his bail. To this letter no answer was given, and the Court having waited until three o'clock adjourned.

Johnston
arrives on
the scene.

When it was known that the Court had broken up without having procured Mr. McArthur's enlargement the agitation of the town became greatly increased, and information was brought to me at four o'clock by Mr. Harris, Surgeon of the New South Wales Corps, that an insurrection of the inhabitants was to be feared. In a few minutes after I had received this intelligence a dragoon arrived with a letter from the Governor, in which I was informed that six of the officers of the New South Wales Corps had been

* See Blaxcell's and Bayly's deposition, ante, p. 429.

charged with treasonable practices, and were summoned to appear before the Governor and the magistrates at nine o'clock the next morning. The communication of such extraordinary measures occasioned temporary forgetfulness of my bruises, and I immediately set off in a carriage to the town.

1808

11 April.

On my arrival at the barracks I saw all the civil and military officers collected, and the most respectable inhabitants in conversation with them. The common people were also to be seen in various groups in every street murmuring and loudly complaining, whilst others were watching the movements of Crossley and the magistrates, who frequently passed from the Judge-Advocate's to the Government House. At this moment it was also known that the Governor was shut up in council with the desperate and depraved Crossley ; Mr. Palmer, the Commissary ; Mr. Campbell, a merchant ; and Mr. Arndell (the latter three magistrates), and that Mr. Gore (the Provost-Marshal) and Mr. Fulton (the Chaplain) were also at Government House, all ready to sanction whatever Crossley proposed or the Governor ordered.

Appearance
of the town
on his
arrival.

The gentlemen who had assembled on my arrival earnestly entreated me to adopt decisive measures for the safety of the inhabitants and to dispel the great alarm, as it was understood throughout the town that the members of the Court of Criminal Judicature would be thrown into gaol ; and it was expected, after such a measure, nothing could limit the excess of the Governor's cruelties. The gentleman also warmly urged me to bail Mr. McArthur, so that he might consult with them on the measures most proper to recommend at so extraordinary a crisis.

Johnston
solicited to
take action.

As I had no doubt of the illegality of Mr. McArthur's confinement, I felt no difficulty in acceding to the request, and Mr. McArthur being released from the gaol directly joined the assembly of officers and inhabitants who were then at the barracks.

Macarthur
released.

In a short time after, a letter was presented to me imploring me instantly to put Governor Bligh in arrest, and to assume the command of the colony. This letter was also approved of by all the officers of the Corps present at headquarters ; and as the events I had myself witnessed left me no cause to doubt the propriety and necessity of complying with this requisition, I immediately ordered the Corps under arms, and directed four officers to proceed to Government House and summon Governor Bligh to resign his authority. The Corps quickly followed, attended by the civil officers and a considerable number of respectable inhabitants.

Johnston
decides to
arrest Bligh.

The four officers who had carried the summons met me at the Governor's door and reported that he was nowhere to be found, nor any information to be obtained of him, although the strongest assurances had been given that his person should be strictly guarded from insult or violence.

Bligh in
hiding.

1803

11 April.

After a rigid search, the Governor, however, was at last discovered in a situation too disgraceful to be mentioned, and which I solemnly declare to your Lordship would have been most gratifying to my feelings had it been possible to have concealed from the public.

As soon as Governor Bligh made his appearance, I assured him of his personal safety and of every attention in my power to offer him.

Martial law
proclaimed.

Whilst the search was making for Governor Bligh, I was entreated by the civil officers and inhabitants to proclaim martial law, and this request meeting my approbation, martial law was instantly proclaimed, and continued in force until the next day.

Taken off on
the follow-
ing day.

As not a single act of disorder or irregularity was committed during the interesting scene that I have had the honor to describe to your Lordship, and as the most perfect peace and tranquility were restored throughout the whole settlement, I published a proclamation the next morning revoking the order of the preceding evening and restoring the civil government. I also suspended from their offices the Judge-Advocate, the Commissary, the Chaplain, and the Provost-Marshal, with all the magistrates who it appeared had assisted with Crossley to support Governor Bligh in those measures which produced such disgraceful consequences to him and such general alarm and disquietude to the inhabitants. The same day I filled the vacant offices by persons who I had every reason to hope would discharge their different duties with fidelity and zeal until His Majesty should be pleased to make other arrangements.

Examina-
tion of
officers.

On the evening of the 26th of January, and several succeeding days, committees were engaged in examining the Judge-Advocate, the Commissary, the Governor's Secretary, Mr. Campbell, Mr. Arndell, Mr. Fulton, and Crossley, from whom many important proofs were obtained of the Governor's intentions and of his confidence in Crossley.*

The formal
trial of
Macarthur.

After these examinations were taken, I ordered the Court of Criminal Judicature to assemble that Mr. McArthur might be arraigned on the indictment that was found amongst the Judge-Advocate's papers, and that the trial might proceed on the plan Crossley had suggested to ensure his conviction.

The evidences were examined in the order Crossley had prescribed, and every question asked that he had previously dictated. Your Lordship will discover from the copy of the trial that Mr. McArthur was acquitted without being put on his defence, and that a complete disclosure was made of the plans which had been deliberately formed for the ruin and destruction of that gentleman.†

Bligh's
intentions.

I respectfully trust this trial and the confessions of the magistrates and other confidential persons will convince your Lordship

* See the examinations of these witnesses, ante, p. 435.

† The proceedings of the Court are given on p. 465, ante.

of the guilty intentions of Governor Bligh, and how little he regarded the honor of the sacred personage whom he represented, by suffering himself to be guided by a wretch like that man, Crossley, to persecute and oppress His Majesty's subjects. 1808
11 April.

As soon as Mr. McArthur's trial was concluded, Crossley was brought before the Court, charged with acting as an agent or attorney after having been convicted of perjury. The offence being clearly proved, the Court sentenced him to be transported for seven years; and he has been since sent to the coal-mines at Newcastle to prevent him from agitating this settlement again with the contrivance of new villainies. Crossley
sent to
Newcastle.

Mr. Gore, the Provost-Marshal, has also been brought before another Court of Criminal Judicature, charged with wilful and corrupt perjury; but, having objected to one of the members, on the plea of his being prejudiced against him, the Court admitted the objection; and, as he thought proper to refuse giving bail to appear before another Court, he was committed to gaol until he does give bail, or until a Court can be found in which there shall be no member to whom he has any objection. Gore
summoned
for perjury.

Being convinced that the most shameful abuses had been practised in the expenditure of His Majesty's stores, and in the distribution of the public live stock, I ordered that Mr. Fitz, Deputy-Commissary; Mr. Wilshire, Mr. Gowen, and Mr. Baker, store-keepers; Andrew Frazier, a servant of Mr. Commissary Palmer's; and Mr. John Jamieson, Superintendant of Stock, should be examined. The depositions of these persons, although extremely incomplete, will not, I persuade myself, be found inadequate to convince your Lordship of the various frauds that have been committed on the public property, and that His Majesty's interest has not been the first object of consideration with Governor Bligh and Mr. Commissary Palmer.* Officers of
the stores
department
examined.

I would also entreat to lead your Lordship's attention to the deposition of one Andrew Thompson,† formerly a convict, the Governor's confidential manager of an establishment on the banks of the Hawkesbury. This man's confession will, in part, disclose to your Lordship the arrangements made by the Governor for the improvement of his private fortune at the expense of the Crown; and the correspondence of Thompson, found amongst the Governor's papers, will further prove the extensiveness of the plan upon which the Governor intended to proceed. The manager
of Bligh's
farm.

The despatch from Lieut.-Colonel Paterson,‡ which I have now the honor to forward, will apprise your Lordship it is that officer's intention to leave Port Dalrymple and proceed to this settlement to relieve me. Lieutenant-
Governor
Paterson.

* See these depositions, ante, p. 446 *et seq.*

† See Thompson's deposition, ante, p. 450. See also his previous letters to Bligh, ante, pp. 262, 267, 270, 307, 380, 410.

‡ See Paterson's despatches of 12th March, 1808, ante, pp. 536 to 539.

1805

AUG.

I have requested the commanding officer of His Majesty's ship Porpoise to get ready for sea, in compliance with Lieut.-Colonel Paterson's desire that she might be sent for him; and the ship now only waits for my despatches.

What is the
impression
of the
Governor?

What is the
impression
of the
Governor?

Whether Lieut.-Colonel Paterson is correct in laying claim to this command, under the existing circumstances of the colony, I confess myself incompetent to form a decided opinion: but if, as I have understood, Lieut.-Colonel Paterson has a distinct appointment as Lieut.-Governor of Port Dalrymple, and Lieut.-Colonel Bligh has been appointed by His Majesty Lieut.-Governor of the territory, I should imagine that Lieut.-Colonel Paterson cannot with propriety quit Port Dalrymple. The Royal patent for establishing a new form of government in this colony contains the following clause:—"And if upon your death or absence out of our said territory and its dependencies there be no person upon the spot commissioned or appointed by us to be our Lieut.-Governor or Commander-in-Chief of our said territory and its dependencies, our said pleasure is that the officer highest in rank who shall be at the time of your death or absence upon service within the said colony shall take the oaths and subscribe the declaration which shall be taken and subscribed by you or by the Commander-in-Chief of our said territory and its dependencies, shall take upon the administration of the Government and execute our said laws, orders, and instructions, and the several powers and authorities which shall be vested in the same manner and to all intents and purposes as if he were our Governor or Commander-in-Chief should or might be at the time of your absence until your return, or in all cases until our farther pleasure be known therein."

It is the consequence of this clause that Lieut.-Col. Paterson, who was at Port Dalrymple after the departure of Lieut.-Governor Bligh, and who then held only the rank of captain in the Army, was, at the same time, was in the territory, as Lieut.-Governor of a dependency, and a master and commander in the Navy.

I have given my opinion from this precedent, and being assured of the Governor's appointment, I could not conjecture that Lieut.-Colonel Paterson would think of leaving his post at Port Dalrymple, or suspend his supercession, after the arrival of Lieut.-Colonel Bligh, must be certain: but, circumstanced as I am, I cannot but rather commit an error, by resigning my present post, than expose myself to the slightest suspicion that I have acted in a manner of possessing myself of his authority, or that I have acted from the improper motive of promoting the Lieut.-Governor's system, and preserving the tranquility of the colony.

It was from this motive that I was prevailed upon, at the entreaty of the officers and the inhabitants, to assume the title of Lieut.-Governor, for I must not conceal from your Lordship that very serious apprehensions were entertained of what might happen if any officer in the territory should relieve me before the arrival of Lieut.-Governor Foveaux, or until His Majesty's pleasure shall be communicated.

1808

11 April.

He assumes
the title of
Lieutenant-
Governor.

If my styling myself Lieut.-Governor be an impropriety, I hope your Lordship will consider the motive, and make allowance for the delicacy and difficulty of a situation where I had no precedent to guide, and no choice but of difficulties. One of the principal of these has been to determine how, and by what conveyance, Governor Bligh was to be sent to England. His own wish, your Lordship will learn from his letter, was to return in the command of His Majesty's ship Porpoise. But to that, it appeared to me, there were almost insurmountable obstacles, for I conceived it would be highly improper to allow him to come out of arrest; and I also knew he had behaved towards the officers and crew of the Porpoise with such insufferable oppression and inhumanity that the most serious consequences might have arisen if he were permitted to exercise any authority on board her.

The ques-
tion of send-
ing Bligh
Home.

This information I received from Lieut. Symons (her present acting commander), who expressed a determination to exhibit charges against Governor Bligh to the Lords of the Admiralty; and, as a preliminary step, he sent two of the lieutenants to make depositions respecting some dreadful insults they had received.*

Bligh and
Symons.

These circumstances, and the possibility that Governor Bligh might touch at one of His Majesty's foreign settlements and excite injurious opinions of the causes of his supercession, induced me to make choice of the Pegasus, a private vessel, and to enter into a conditional vested agreement for his passage, if the ship should prove in good condition after being surveyed. But when she had been favourably reported of, her owner, for some private reasons, considered it expedient to decline the bargain; and in this dilemma I was necessitated either to send Governor Bligh Home in the Dart, a South Sea sealer, or to give him the option of taking his passage in the Porpoise, on the conditions that he should pledge his word of honor as an officer that he would not attempt to assume any authority, but consider himself under the restraint of a military arrest until he should receive His Majesty's commands.

Bligh to go
Home in the
Pegasus,
Dart, or
Porpoise.

To this he at last acceded, and I made application to the Acting Commander of His Majesty's ship to receive the Governor on board, and to furnish him with suitable accommodation for himself and family.

* The officers referred to were Acting-Lieutenants Joseph Short and William Ellison. They alleged that upon attending at Government House to make certain depositions respecting the sailing of the ship General Wellesley, Governor Bligh abused them, calling them "damned cowardly rascals," "infamous scoundrels," and using other expletives not less forcible.

1808

11 April.

The com-
mand of
H.M.S.
Porpoise.

In endeavouring to make arrangements for this purpose other obstacles were erected that I had not the power to remove, and produced a continuance of our correspondence. The Governor's letters* on this occasion convinced me that neither his past misfortunes nor present humiliating condition had awakened in his breast a sense of the advantages which may ever be expected from a manly and honorable regard to the strict spirit of our engagements. In truth, my Lord, his whole conduct left me without doubt that he designed to take the command of His Majesty's ship the moment he put his foot on board her†; and this determined me to send him immediately on board the Dart unless he unequivocally subscribed the acknowledgment I required from him. Whilst this point was agitated, Lieut.-Colonel Paterson's letters arrived in the Harrington from Port Dalrymple. The information they contained caused me to determine (as soon as I had ascertained, by a reference to the public papers, that Lieut.-Colonel Paterson had once held the commission of Lieut.-Governor of the territory)‡ to postpone Governor Bligh's departure, and to leave it to Lieutenant-Colonel Paterson to decide in what manner Governor Bligh shall be sent Home.

Consulting
Paterson.

Defections
from the
ranks of
Johnston's
adherents.

I am now, my Lord, arrived at the most painful part of my task—an explanation of the causes that have prevented me from preparing a better arranged statement of the transactions in which I have been engaged; and it is with deep concern I find myself obliged to report to your Lordship that the opposition from those persons from whom I had most reason to expect support has been one of the principal obstacles I have had to encounter.

Manifesta-
tions of
public joy.

When the officers and inhabitants found themselves relieved from the oppressions of Governor Bligh, the general joy that was felt displayed itself in rejoicings, bonfires, and illuminations, and in a manifestation of the most perfect unanimity. Even the lowest class of the prisoners were influenced by the same sentiments, and for a short time abandoned their habits of plundering. The contemplation of this happy scene more than repaid me for the increase of care, fatigue, and responsibility to which I had submitted for the public benefit; but the unanimity in which I felt so much pleasure I quickly discovered was not to be preserved without a sacrifice of His Majesty's interests, and a departure from the regulations that have been made to check the importation of spirituous liquors into the colony.

* These letters will be found printed in this volume in the order of their dates.

† As subsequent events proved, Johnston was correct in his surmise.

‡ It is remarkable that the appointment of Paterson to the post of Lieutenant Governor should have been unknown to Johnston. It had been publicly notified in General Orders, and should certainly have been well known to all the officers, civil and military. In the *New South Wales Almanac* for 1808, also, Paterson's name appears next to that of Bligh as Lieutenant Governor. Johnston was probably ignorant of the fact that Paterson had been appointed by Commission.

Unfortunately, at the time I took the command, an American ship, the Jenny, of Boston, lay in the port, with five thousand gallons of rum and brandy on board. Many persons were desirous to get permission to purchase this cargo ; but as Governor Bligh had allowed seven thousand gallons to be landed out of the City of Edinburgh from the Cape of Good Hope, and from an American brig, which was not then distributed, I thought it my duty to resist every solicitation ; and having received information that spirits were smuggling from the American, I ordered her to quit the port, and sent the Colonial schooner Estramina to escort her out of sight of land.

1808

11 April.

Spirits from America.

On the 13th February, four days after the Jenny sailed, it was reported that she had returned and put into Broken Bay, where she was said to be smuggling her cargo. Boats were at my request directly armed and sent from the Porpoise with orders to seize the ship if any proof could be obtained of her smuggling. When the boats reached the Jenny they found a man from the shore preparing to take a cask of spirits, and as there were other strong corroborative proofs that spirits had been or were prepared to be landed, the ship was seized and brought back to the port.

Smuggling at Broken Bay.

I immediately ordered a Vice-Admiralty Court to be assembled, and Captain Symons, Acting Commander of His Majesty's ship Porpoise, appointed an agent to prosecute his claim to the ship and cargo as a lawful prize for having violated the plantation laws. It appeared in evidence that there was a deficiency of twelve hundred and nine gallons of the quantity of spirits which the Jenny entered when she first arrived ; but neither that circumstance nor many other strong proofs that an illicit trade had been carried on, were thought sufficient by the Court to warrant her condemnation. The captain of the American, after giving all the trouble he could, entered a protest and an appeal, which will be transmitted with a copy of the trial by the next ship that sails from hence ; and I am assured that when your Lordship shall be acquainted with its contents, you will be convinced the condemnation of a ship for smuggling will not easily be accomplished in New South Wales.

A Vice-Admiralty Court.

The departure of the Jenny with the remains of her cargo of spirits was highly disapproved of by many, and the discontent which that event created was much increased by the discovery of my determination to reduce the expenditure of public money and stores, to be extremely circumspect in the distribution of live stock and convicts, and not to alienate any lands but on the condition of the grant being approved by His Majesty's Secretary of State for the Colonies.

Dissatisfaction at Sydney.

Determined to persevere in this system, and finding I should require the aid of some gentleman in whose integrity I should have confidence, I requested Mr. McArthur to assist me in the arduous undertaking.

1808

11 April.

Macarthur
appointed
Secretary to
the Colony.

His
successful
efforts.

As there was no office vacant to which I could appoint him, and as it was necessary he should have some public character, I created an office which has never before existed here, and I appointed him Secretary to the Colony. This unauthorized innovation I trust will not be disapproved, when my peculiar situation is considered, more particularly as it entails no additional expense upon the publick.

My intentions have been so faithfully seconded by the efforts of Mr. McArthur that three hundred persons who were victualled and clothed by His Majesty when I took the command now maintain themselves ; and many of the most able of these people have been distributed amongst the settlers to assist in the cultivation of their lands.

Other comparatively insignificant arrangements have been made, and inquiries into many shameful frauds and abuses, have been commenced in the department which Mr. McArthur has undertaken to conduct.

Obstacles.

But every obstacle that knavery or cunning could devise has been interposed to distract my attention, and to retard the accomplishment of those necessary objects. So widely extended is the influence of some of the persons who have been engaged in illicit or dishonest practices, that they have contrived to form a combination with several of the better class, who ought to have held themselves superior to such connexions.

John and
Gregory
Blaxland.

I am concerned to say that the two Mr. Blaxlands, persons who have received such extraordinary encouragement as settlers, have been among the forwardest and most troublesome of my opposers. These gentlemen have, unhappily for themselves, formed a connexion with an inhabitant by the name of ———, who was once a convict but now possesses a very extensive fortune, or at least the appearance of it, and they have suffered themselves to be led by this man into a litigation that has drawn into its vortex several officers, and proceeded to such lengths that I have been obliged, although with extreme reluctance, to order Mr. Grimes (who acted as Judge-Advocate after the suspension of Mr. Atkins) to take my despatches in the Dart, and Mr. Harris, Surgeon in the New South Wales Corps, to proceed with their duplicates in the Brothers.

Officers sent
Home.

Charles
Grimes.

Although I have the greatest cause to be dissatisfied with the part Mr. Grimes has suffered himself to be influenced to act, more particularly when the emergency of public affairs are considered, yet I cannot but hope, from my knowledge of his past conduct, that his errors have been errors of judgment more than of design; and I beg to refer your Lordship to Mr. Grimes for any information you may wish respecting Governor Bligh, with an entire confidence that he will relate to your Lordship many important facts.

Edward
Macarthur.

By the ship Brothers I shall do myself the honor to enter into a further explanation of my reasons for sending Mr. Grimes and Mr. Harris with my despatches ; and to provide against the failure

of that ship, I have requested Mr. McArthur, junior, who takes his passage in the Dart with Mr. Grimes, to wait upon your Lordship as soon as he shall arrive in England.* 1808
11 April.

After such an unpleasant recital as that which my duty has imposed upon me respecting the improper conduct of a few individuals, it is with unfeigned satisfaction that I proceed to acquaint your Lordship of the contented and happy state in which all the middle and lower ranks of inhabitants remain; nor must I omit to report to your Lordship the exemplary and soldierlike conduct of the New South Wales Corps, who to their most perfect obedience and strict discipline, unite the utmost watchfulness for the preservation of the public peace. The middle and lower classes and the soldiery.

Permit me also to recommend to your Lordship's favourable notice Mr. Bayly, my private secretary, who also acts as Provost-Marshal during the suspension of Mr. Gore. The zeal and active exertions of that gentleman has relieved me in a variety of different services, and as he has long since given in his resignation to quit the Army, I beg to recommend him for a confirmation of the appointment of Provost Marshal, under a perfect conviction that, should His Majesty be pleased to continue him in that office, his services would materially contribute to establish good order in the police of this settlement. Nicholas Bayly.

On reviewing the depositions to which I have referred, to establish the criminality of Governor Bligh, I observe that I have omitted to notice several representations which were transmitted to His Royal Highness the Commander-in-Chief last October. I therefore entreat permission to submit them to your Lordship, as proofs that neither the soldier on duty has been screened against the violence of Governor Bligh, nor the soldier in his cottage from his oppression.† Enclosures.

I shall no longer obtrude upon your Lordship on this occasion than to solicit that whenever the representation of what has taken place here shall be communicated to my gracious Sovereign, your Lordship will have the goodness to offer my humble assurances that I have sacrificed comparative ease, and have taken upon myself so great a responsibility rather than submit to be a witness of His Majesty's sacred name being profaned and dishonoured by deeds of injustice and violence. Johnston relinquishes ease to take command.

I have, &c.,

GEO. JOHNSTON.

[Enclosure No. 1.]

SERJEANT-MAJOR WHITTLE'S STATEMENT.

His Excellency Governor Bligh, on passing by my house the middle of last December, stopt and asked whose house it was, on hearing which I came out, saluted him, and informed him that it Bligh and the sergeant-major.

* See Edward Macarthur's letters to his relatives after his arrival in England, post, pp. 769, 770, 771, 774, 776, 779, 785.

† See enclosures Nos. 1 to 5. See also the enclosure to the Duke of York's letter to Castlereagh, post, p. 652.

1808 was mine. He then asked me how I got it. I answered that I
 11 April. had exchanged another house (which cost me a great deal of money) for it. He then asked me how I held it. I informed him that I held by lease, of which six or seven years were yet unexpired. His Excell'y immediately replied, in a violent passion, that neither house or ground should be mine; that it was his, but that I might remove the materials of the house off the ground as soon as I pleased, for that I should not have the ground, and this he repeated several times as he rode off. In consequence of which I made my house and ground over to my Commanding Officer in order, if possible, to save it for my young family (six children). I further declare that the said house and ground is worth to me six hundred pounds.

THOS. WHITTLE,
 Serjeant-Major.

[Enclosure No. 2.]

ADJUTANT MINCHIN'S STATEMENT.

Sydney, 30th September, 1807.

Bligh and the soldiers. ON Sunday last, the 27th inst', shortly after Divine service, I received a message from H.E. Governor Bligh to attend him at Government House, which I immediately obeyed, when I was informed by His Excellency "that several of the soldiers of the Corps had behaved in a most shameful manner in church during the service, by laughing and making faces at his daughter, so much so that she was obliged to quit the church; that he followed her into an adjoining room, and, on learning from her the cause of her distress, he returned to the church; that the vile wretches had the audacity to stare and laugh at him also; that when the service was ended he took Lieut. Draffin and Ensign Bell with him to where the soldiers sat, and pointed out to them and to the Drill Serjeant the men who had conducted themselves improperly. He then retired from church," with the whole of which he directed me to acquaint the Commanding Officer.

A scene in church.

On Monday morning the Governor again sent for me to know whether I had made enquiry into the cause of the conduct of the wretches who had behaved so ill in the church.

The soldiers explain.

I acquainted His Excellency that, from all I could learn—and that I had it from the best information—the cause of the men's laughing, whom His Excellency noticed, was an arch drummer, having observed a hole in another's cap, he picked up a feather and put into it, and the other men having some time afterwards observed it, they involuntarily laughed, and, fearful of being seen by His Excellency or the officers in church, they had looked over each other's shoulders towards his seat. I at the same time begged to assure His Excellency that I did not think there was a man in the regiment who would offer the smallest offence to him or Mrs. Putland. His Excellency here got warm, and observed to me that the excuse was a patched-up story of the wretches, and swore that

if any one dared to offer him an insult that he would have the villain's head off; that they might as well say the drummer had put a feather into a man's —, and that they had laughed at it. 1808 11 April.

He then desired to be informed how many men there were in the regiment who had been convicts. I answered about 70, but that they were in general the best men we had, to which His Excellency replied that the creatures he saw in church looked more like jail-birds than anything else, on which I asked His Excellency if he had any further commands. He answered "None," but desired me to tell Major Johnston that he expected to see him.*

Bligh
dissatisfied
with expla-
nation.

W'M MINCHIN, Adj't, N.S.W. Corps.

[Enclosure No. 3.]

WILLIAM BLAKEMORE'S STATEMENT.

11th April, 1808.

IN March last† His Excellency Governor Bligh came to me and enquired if the hut opposite my own dwelling was mine. I answered, yes. His Excellency asked why I had not his liberty to build it. I told His Excellency that it was built two years before he came to the colony. He then asked who gave me liberty to build it. I answered, Major Johnston. His Excellency then damned Major Johnston and Major Paterson too; he did not care a damn for them. No person should have two houses and others go without.

Deposition
of Wm.
Blakemore.

W'M BLAKEMORE.

[Enclosure No. 4.]

JOSEPH BRAMWELL'S STATEMENT.

SOME months ago, coming from the bush with my horse and cart, I saw His Excellency Governor Bligh coming on horseback along the road. I immediately drew my cart as far out of the road as the ditch would permit me, and stood up in my cart and saluted His Excellency as he passed by. He was in a violent passion, and abused me with the appellation of tremendous b——r, wretch, &c., and on being told that I was a soldier, he ordered the horseman to take me to Government House, when remaining some time there, Mrs. Putland came to the door, and told me I must take care in future never to meet the Governor on the road with my cart.

Deposition
of Joseph
Bramwell.

JOSEPH BRAMWELL (his x mark).

[Enclosure No. 5.]

SERGEANT JOHNS' STATEMENT.

I WAS one morning in the month of November last on the Battery Guard at Dawes' Point. His Excellency Governor Bligh came there, and after looking at the men he asked for their arms one after the other, and having wrenched the flints out, he threw them on the ground, and said in a passion that the men were not fit to have arms, and they were a disgraceful set and no use, and said a good deal [to] me in the same way.

Deposition
of Benjamin
Johns.

BENJ'N JOHNS, Serj't.

* See also Bell to Johnston, post, p. 655.

† Evidently March, 1807.

1808

MAJOR JOHNSTON TO VISCOUNT CASTLEREAGH

Headquarters, Sydney, New South Wales,

12 April.

My Lord,

12th April, 1808.

The public
stores.

Almost the first object of my attention after the event which I have had the honor to report to your Lordship was the state of His Majesty's stores.

As I was convinced from personal observation of the frauds and abuses practiced in the Commissary's Department, I ordered the papers in that office to be secured, and an immediate survey to be taken of every kind of store and every description of provisions remaining.

A survey
ordered.

That survey, and a careful examination of the books, will soon enable me, I hope, to transmit to your Lordship satisfactory information on every subject connected with that department.

The Com-
missary's
accounts.

Being aware that large quantities of grain had been drawn from the stores on the plea of its being baked into biscuit for the Colonial craft by the Commissary, who is engaged in an extensive baking concern, I required from him a return of the flour, meal, and wheat received by him from His Majesty's stores between the 13th August, 1806, and 26th January, 1808 ; but instead of furnishing the return (although the requisition has been frequently repeated) the Commissary thought proper to make evasive excuses and to treat my authority with contempt by absolutely refusing to send the required information.

The supply
of meat.

There now remains in His Majesty's stores only two hundred and forty-eight tierces of beef and three hundred and ten tierces of pork. From this quantity I have determined to send four hundred tierces to the Derwent, to enable Lieut.-Gov'r Collins to issue a full ration of provisions to the inhabitants, and to abolish the practice of hunting for their subsistence, instead of being employed in agriculture and in those labours necessary for the permanent establishment and welfare of that society.

Fresh meat
issued in lieu
of salt.

That I might carry this plan into effect without injury to this settlement, I have reduced the ration of salted meat issued here to one-half, and have issued to the officers of the civil and military department and the soldiers three pounds and a half of fresh beef in lieu of the reduced quantity of salted meat, and to the prisoners six pounds of wheat. By this arrangement the prisoners have a ration quite as sufficient for their support as the established one and altogether as acceptable to themselves.

Saving by
issuing
grain.

The agriculture of the country will also be encouraged by the increased consumption of grain, and a very considerable saving will accrue from the difference of the expence, as the additional six pounds of wheat only costs one shilling, and the two pounds of pork that is reduced, when every expence on its importation is calculated, would have cost, I imagine, at least two shillings and sixpence.

I have the honor to transmit your Lordship a report* of survey of the public live stock, from which you will discover that this valuable property is in a very deplorable condition, and has been fast degenerating in consequence of improper management. So little attention has been paid to them, that when Mr. John Jamieson, the person who has had the principal charge, was called upon for a return of the different kinds, it appeared he had no books, and had never taken the trouble to inform himself of the state of the herds. His practice was to return the encrease of years as calves, and by his last return there appears to be 2,540 calves and only 760 cows. That a more perfect knowledge might be obtained of the state of the cattle, I directed Mr. Fitz, Deputy Commissary, to superintend their arrangement, and that the breeding cows and calves, the heifers, the oxen, and the steers might be formed into herds, in which each kind might be kept apart; but in proceeding to the execution of this duty, he was so much opposed by the superintendant (Jamieson), who positively refused to give the least assistance, and behaved with such insolence in other respects, that I have been obliged to dismiss him from his office, and to appoint Mr. Andrew Hume,† to succeed him. I must, however, respectfully endeavour to impress upon your Lordship that this encreasing and highly valuable property well deserves that a man of character, knowledge, and respectable condition in life should be appointed with an adequate salary for conducting it. At present I propose to make Mr. Hume accountable to Mr. Fitz, and to give that gentleman some compensation for the labour of occasionally visiting and inspecting the whole stock.

1808

12 April.

The live stock.

Jamieson dismissed.
Hume appointed in his stead.

Conceiving that a moderate distribution of cows amongst the steadiest of the settlers and inhabitants will be of great public utility (as it is indisputable they improve more under the management of individuals when they become their private property than when herded in large numbers with only the care of convicts, who have no interest in them), I have promised to dispose of three hundred cows and a few working oxen at £28 per head, to be paid for immediately in grain, and the cattle to be received with the usual restriction as to killing or selling them.‡

Cows distributed amongst settlers

In return for grain.

By these means all the grain wanted by Government this year for this settlement will be provided, and I shall be relieved from the necessity of drawing bills for its purchase on His Majesty's Treasury. These measures for the reduction of the expences of the colony, and the improvement of the cattle, will, I respectfully

Reduction of expenses.

* Not available. See, however, the return for August, 1808, post, p. 707.

† Andrew Hume had charge of the live stock under Governor Hunter; but upon the arrival of Governor King he was dismissed for alleged misconduct, and Jamieson (of whom King spoke most highly) appointed eventually in his stead. Hume did not retain the confidence of the new powers very long—post, p. 731.

‡ By these means Johnston was able to keep the expenses of Government down; but, of course, it was at the expense of Government live stock. See Caley's letter of 7th July, 1808, post, p. 690.

1803

12 April.

hope, be approved of by your Lordship, and I persuade myself the steps I have pursued to facilitate the evacuation of Norfolk Island will also receive your Lordship's approbation.

Norfolk
Island
settlers to be
transferred
to Hobart.

Having discovered from Mr. Windham's despatch of the 30th December, 1806,* the solicitude of Government to accomplish that object without additional expence, I considered it my duty to lose no opportunity of giving effect to the orders of Government. Under this impression, I have made a contract with the master and supercargo of the City of Edinburgh, a ship of five hundred and twenty-six tons burthen to proceed to Norfolk Island, and to take as many of its settlers, stock, &c., to the Derwent as she can carry, for which service she is to be paid in timber.

I shall take care to provide a sufficient quantity to pay the full amount of her freight, and the whole will be procured without the expence of an extra guinea.

Public
property
alienated.

The accompanying return of public property alienated to individuals† since I have taken the command, will inform your Lordship that I have not been lavish in its distribution, nor regardless of the trust which uncontrollable circumstances has placed in my hands.

Free
settlers..

I presume your Lordship will have received before this many complaints from the gentlemen who have come out as settlers under the immediate sanction of Lord Camden, your Lordship, and Mr. Windham, of the little attention they have obtained, and from some, of the total disappointment of their hopes and expectations. It became an immediate object of my care to acquaint myself with the orders that have been sent out for the establishment of these gentlemen, and I have already proceeded to shew my attention to commands that I feel are entitled to the respectful obedience of whoever may administer the Government of this colony, by distributing servants, permitting them to choose their land, and by assurances of live stock, and every other indulgence promised them by His Majesty's Secretary of State. At the head of this description of persons stands Mr. John Blaxland, and his correspondence‡ with me on the subject of his claims will show your Lordship the principle on which I propose to act.

The wheat
and maize
crop.

I have great satisfaction in reporting to your Lordship that we have had a plentiful wheat harvest, and that the maize now ripe is the most abundant crop ever seen in the settlement.

I have, &c.,

GEO. JOHNSTON.

* Ante, p. 224.

† This return is not available. See the statement of land grants issued by the various Governors and Lieutenant-Governors, post, p. 808.

‡ The correspondence referred to has not been printed, as it does not differ materially from Blaxland's letters to England, which will be found scattered throughout this volume.

MAJOR JOHNSTON TO VISCOUNT CASTLEREAGH.

1808

Headquarters, Sydney, New South Wales,

My Lord,

12th April 1808.

12 April.

It is with great regret I trouble your Lordship with a report of another disagreeable circumstance.

In my letter of the 11th I had the honor to inform your Lordship that His Majesty's ship Porpoise was ready to proceed to Port Dalrymple to bring Lieut.-Colonel Paterson to this settlement.

The Porpoise ready for sea.

I had no sooner finished my despatch to your Lordship than I received the accompanying letter from James Symons, Esq're, then Acting Commander of the Porpoise, and I learnt from unquestionable authority he meant to proceed to sea without my despatches to Lieut.-Colonel Paterson. As such an act must have extremely disconcerted Lieut.-Colonel Paterson, and have created some confusion at Port Dalrymple, I considered it for the advantage of His Majesty's service to send for Lieut. William Kent, and to deliver to him the warrant from Commodore Bligh appointing him Acting Commander of the Porpoise.

The command transferred from Symons to Kent.

I also wrote to Capt'n Symons to apprise him of my determination, and the next day Captain Kent took the command of His Majesty's ship. This arrangement, I respectfully hope, will receive your Lordship's approbation, as it was resorted to for no other reason than to secure Lieut.-Colonel Paterson from the embarrassment he must naturally have felt if the Porpoise had arrived at Port Dalrymple without any despatches from this settlement.

I expect to have my letters ready for the Porpoise by the 16th instant.

I have, &c.,

GEO. JOHNSTON.

[Enclosure No. 1.]

LIEUTENANT SYMONS TO MAJOR JOHNSTON.

Sir, His Majesty's Ship Porpoise, 12th April, 1808.

I beg leave to acquaint you that His Majesty's ship Porpoise, under my command, is ready for sea, and I purpose sailing as soon as the wind is favourable, to conform to the request of Lieutenant-Governor Paterson, which I received through you. All the stores are on board, and I have to request your letters may be forwarded to me as soon as possible. Have been perfectly ready these six days past, and only waiting for your despatches.

Symons about to sail.

I have, &c.,

J. SYMONS.

[Enclosure No. 2.]

MAJOR JOHNSTON TO LIEUTENANT SYMONS.

Sir,

12th April.

I have to acknowledge the receipt of your letter of this date, wherein you inform me you purpose sailing as soon as the wind is favourable, in answer to which I find it necessary to acquaint

1808
12 April. you that I have this evening transmitted to Lieutenant William Kent a warrant from Cominodore Bligh to take the command of His Majesty's ship Porpoise, and that I hereby release you from every engagement or promise you have made to me not to receive any orders from Commodore Bligh.

I am, &c.,

GEO. JOHNSTON.

NICHOLAS BAYLY TO GOVERNOR BLIGH.

13 April.
The Dart
ready for
sea.

Sir,

13th April, 1808.

I am directed by His Honor the Lieutenant-Governor to acquaint you that the Dart will sail early to-morrow morning, and that any despatches you may wish to send shall be taken charge of this evening by Mr. Grimes, or any other person on board the Dart you may chuse.*

I am, &c.,

N. BAYLY,

Secretary.

[To the above a verbal answer was given that there were no letters to send.†]

JOHN MACARTHUR TO HIS WIFE. (Macarthur Papers.)

Macarthur
at Sydney.

My dearest Love,

Sydney, Saturday, 5 o'clock.‡

I have been deeply engaged all this day in contending for the liberties of this unhappy colony, and I am happy to say I have succeeded beyond what I expected. I am too much exhausted to attempt giving you particulars; therefore I must refer you to Edward§ who knows enough to give you a general idea of what has been done. The tyrant is now, no doubt, gnashing his teeth with vexation at his overthrow. May he often have cause to do the like.

Messages to
his family.

I have read your two letters; they are admirably written. I was in hopes there would have been one to your mother, as I had set aside a Navy bill to enclose with it. You will not be too late if you write and send down to-morrow. Take care of yourself and be cheerful; your headache will then go off. Keep Elizabeth out as much as you can, for exercise in this warm weather is more likely than any other thing to bring about her recovery. Remember me to them all, and believe me, my dearest love, your ever affectionate

JOHN MACARTHUR.

* The Dart sailed on the 20th April, 1808, having on board Edward Macarthur and Charles Grimes.

† Bligh, in his evidence at the Court-Martial on Johnston, stated that he had sent a despatch Home secretly in April. Doubtless it was that of 30th April, 1808, and was sent by The Brothers which sailed on the 2nd May, 1808. The despatch will be found printed under date 30th April, 1808, post, p. 607.

‡ There is nothing beyond the context of the letter to indicate the date on which it was written. It is evident, however, that it was penned after the arrest of Bligh, and (apparently) on the eve of the departure of a vessel for Europe. The first vessel which sailed after the arrest of Bligh was the Dart on Wednesday, 20th April, 1808. It is probable therefore that the letter was written on the preceding Saturday, 16th April.

§ Macarthur's eldest son.

MAJOR JOHNSTON TO LIEUTENANT-COLONEL PATERSON.

1808

Headquarters, Sydney, New South Wales,

Sir,

18th April, 1808.

18 April.

I have to acknowledge the receipt of your dispatch of the 11th ultimo,* by the Harrington.

The arrival of the Porpoise at Port Dalrymple will evince my readiness to resign the government of this territory to you as its Lieutenant-Governor; and I beg you to be assured that had I entertained an idea that the commission you received in 1802 had been superseded by your appointment to a distant dependency, or by the nomination of a successor to you as Lieutenant-Governor of the territory, I should have certainly solicited your return to headquarters at the time I reported the change which has now been called upon to make.

Paterson's rank in the colony.

The accompanying extract† from my letter to Lord Castlereagh on the Dart, will more properly explain the motives that have governed my conduct in the arduous part of the circumstances which have led upon me to perform; and I hope you will be convinced how entirely unnecessary the arrangements were, which you have considered it prudent to make with private individuals to secure myself a conveyance to Port Jackson.

Johnston's letter to England.

It was my intention to transmit you by the Porpoise a copy of my letter to the Secretary of State, and of the inclosures it contained, that were sent by the Dart on the 17th instant; but the speedy departure of the Brothers and the short time I am informed the Rose is to stay here (by both which ships you must see the necessity of my writing) has made it impossible.

His correspondence.

I therefore shall not attempt to give you any detail of what has occurred since the 26th of January, because an imperfect one would more tend to perplex than to inform you.

I shall cause every necessary paper to be prepared against your arrival,‡ and I shall do myself the honor to wait on you on board the Porpoise with them, that you may have it in your power to form a correct opinion of what has been done, and in some degree to determine respecting the future disposal of Governor Bligh, &c. I lament to say, I had it not in my power to send out of the colony before the receipt of your letter by the Harrington, for want of a ship that could accommodate him and his family, and in consequence of obstacles of his own creating, which have prevented him from going on board the Porpoise.

His readiness to hand over Government to Paterson.

*ante, p. 536.

†The letter referred to is that of 11th April, 1808, ante, p. 575. The enclosure has been so inserted that it cannot be stated which particular part of his letter Johnston sent to Paterson.

‡In consequence of the statement, in the opening part of this letter, that a successor (namely Foveaux) had been nominated Lieutenant-Governor of the territory, in his absence, Paterson decided to defer his departure until Foveaux's arrival, when the nature of his commission would be known.

1808

18 April.

Stores for
Port Dal-
rymple.

Your dispatches to the Commander-in-Chief and to Lord Castle-
reagh have been forwarded by the Dart.

All the stores we have it in our power to supply have been sent,
with one thousand bushels of wheat and seventy-nine bushels of
barley ; the latter, I imagine, must be acceptable for seed.

I am, &c.

GEORGE JOHNSTON.

SETTLERS TO LIEUTENANT-COLONEL PATERSON.

Sir,

18th April, 1808.

Paterson
petitioned
to assume
command.

We the undersigned freeholders most earnestly wish, and
anxiously hope for your Honor's speedy and safe arrival at head-
quarters, to take upon you the re-establishment of His Majesty's
Government, and to restore tranquility in this colony.

The particular state of the colony is truly alarming to every
man of observation and reflection.

The state of
public
affairs.

His Majesty's Governor-in-Chief a prisoner ; public officers
appointed by His Majesty, magistrates and other officers, legally
appointed, all removed ; also five of the magistrates created by
the now ruling power, who acted with impartiality, and justly
opposed the present measures, dismissed or resigned ; their
Acting Judge-Advocate* sent Home ; the Civil and Criminal
Courts annulled ; the independent and impartial judgment of the
officers who composed them publicly censured and condemned
by proclamation of the 3rd instant† ; the superintendant of the
police (John Harris, Esqr.) also under orders to leave the colony,
whose departure we might have much reason to regret, and
whom we request you will be pleased to retain as a principal man,
now holding the confidence of the people and supporting their
rights.

John
Macarthur.

The whole government appears to be put into the hands of John
McArthur, Esqr., who seems a very improper person, he having
been a turbulent and troublesome character, constantly quarrelling
with His Majesty's Governors, and other principal officers, from
Governor Phillip to Governor Bligh ; and we believe him to be
the principal agitator and promoter of the present alarming and
calamitous state of the colony.

The address
of 26th
January.

We solemnly declare that we had no fore-knowledge, act, or
part of the strong measures taken on the 26th day of January last.
We protest against the means adopted to obtain signatures to a
paper carried round to sanction what was done on that day—
threatening individuals with imprisonment ; to be sent out of the
colony by the first ships, and that they would be marked men who
refused to sign it ; that many of the most worthless and abandoned
members of society have subscribed that address, and even prisoners
in gaol.

* Charles Grimes.

† Ante, p. 573.

We pledge ourselves, on your arrival, to give you our support at every hazard that is dear to man, in restoring the government and placing us again under the protection of the King and the laws.

1808
18 April.

We beg leave to subscribe ourselves, with the most profound respect—

Your Honor's, &c.,

Thomas Arndell, John Baylis, Caleb Wilson, Edward Reynolds, John Bowman, Martin Mason, Andrew Thompson, James Davison, John Howe, John Turnbull, Andrew Johnston, James Mein, John Johnston, Law'ce May, George Hall, Matthew Lock, John Tibbutt, Paul Bushel, Henry Baldwin, John Jamieson (Principal Sup'dt of Gov't Stock), Thomas Abbott, and several others.*

SETTLERS TO MAJOR JOHNSTON.†

Sir,

We, the undersigned freeholders and cultivators of land in the county of Cumberland, in His Majesty's territory of New South Wales, are impressed with surprize and alarm to see John McArthur, Esq., hold the office of Colonial Secretary; and we believe that, under colour of discharging the duty of that office, the said John McArthur has violated the law, violated public faith, and trampled on the most sacred and constitutional rights of British subjects.

John
McArthur.

John McArthur does not hold the above-mentioned office by commission from the King; and as the inhabitants of this colony have no confidence in the said John McArthur, he having without any authority from them, assumed to himself the office of our representative, and in our name presented an address, which we have already disavowed,‡ and declared our sentiments that John McArthur is the last man we would depute to represent us in any case whatever.

The office of
Colonial
Secretary.

We believe John McArthur has been the scourge of this colony by fomenting quarrels between His Majesty's officers, servants, and subjects. His monopoly and extortion have been highly injurious to the inhabitants of every description.

A fomentor
of quarrels.

We most earnestly pray that the said John McArthur may be removed from the said office of Colonial Secretary, from all other offices, and from all public councils and interference with the government of this colony.

His removal
asked for.

* These were for the most part residents of the Hawkesbury districts and adherents of Bligh. Although it is extremely improbable that they had any knowledge, except from hearsay, of the events which occurred at Sydney on 26th January, yet their description of the means resorted to in order to obtain signatures to the address of 26th January, 1808, in which Johnston is placed to place Bligh under arrest, is in all likelihood not far wide of the truth. There is, indeed, direct evidence to show that most of the names were affixed to the address after Bligh had been arrested, and that some of the signatories were influenced by personal rather than patriotic considerations. [See also other addresses (post, pp. 635-7) to Paterson from settlers at the Hawkesbury and Baulkham Hills districts, which were evidently sent down to Sydney under the impression that Paterson would return in the Porpoise.]

† The copy from which the above is printed (the original is lost) bears neither date nor nature. It is printed here with other papers relative to the same subject. See Johnston's letter of 26th April, 1808, addressed to the officers, post, p. 600. ; Ante, pp. 188, 190.

1808
18 April.

And that you may be pleased to lay this, our most earnest request, before His Majesty's Lieutenant-Governor Paterson, that, if he see meet, it may be transmitted to His Majesty's Ministers.

We feel the most lively sense of gratitude towards those officers and gentlemen who have endeavoured to support the laws, and protect His Majesty's subjects from the illegal and unconstitutional measures pursued by the said John McArthur, as Colonial Secretary, and with the most sincere respect subscribe ourselves.

We are, &c.,

LIEUTENANT-GOVERNOR COLLINS TO VISCOUNT CASTLEREAGH.

[Extracts.]

Hobart Town, Van Dieman's Land,

20 April. My Lord, 20th April, 1808.

* * * * *

The evacuation of Norfolk Island

The circumstance which I deem the most essential to report to your Lordship is the progress that has been made in the evacuation of Norfolk Island, and the state of this settlement at the time I received the first of the settlers.

ordered by Secretary Windham.

Governor Bligh had previously (in the month of October, 1807) transmitted to me a copy of a dispatch* received from Mr. Windham, containing directions to be observed for the total abandonment of that island, sending therewith a list of the settlers, amounting in number to 120, exclusive of their families, who, having the option given to them of fixing here, or at Port Dalrymple, had made their election of this settlement.

Supplies from Sydney.

His Excellency, at the time he made me this communication, sent down seven months' salted meat for the number then borne on the victualling list, but was unable to furnish me with any mechanics or the smallest supply of clothing. I was directed to make preparation for these settlers; but, not being made acquainted with the quantity of ground each individual would have a claim to here, it was impossible to make any other than that of securing to them a place of shelter on their arrival, which I did by distributing them among the different houses in the town.

The first shipment of Norfolk Islanders.

The first embarkation arrived by His Majesty's armed tender, the Lady Nelson, on the 28th of November, consisting of 15 settlers and their families—in all, 34 persons. They were principally belonging to the 3rd class in Mr. Windham's distribution,† and appeared to be very necessitous, applying immediately to me for clothing and bedding, which, unfortunately, I had not to give them. I found they were prepossessed with an idea that all their wants could be supplied at this settlement; and as it was my wish if possible not to increase the discontent which this disappointment

* Ante, p. 224.

† Ante, p. 227.

f their hopes created, I indulged them, particularly those who had families, in choosing their farms in the vicinity of the settlement, and giving them such assistance in building their houses as my scanty means would admit.

1808

20 April.
Supplies.

The number of our full rations at the time of the arrival of these people amounted to 427; by them it was increased to 453; and, as I now learned that, instead of 386 people whom the Governor had taught me to expect, I was to receive an addition of near 800—the whole of the establishment, the military excepted, being ordered here. I availed myself of an opportunity offered me by the arrival of a ship—the City of Edinburgh—from the Cape of Good Hope of purchasing a small supply of beef, flour, and biscuit, in some degree to meet the addition that would be made to our victualling list, which I communicated to the Governor, who approved of the measure.

The second removal of settlers took place by His Majesty's ship, the Porpoise, which arrived on the 17th of January last, bringing 33 settlers and their families—10 individuals not holding land—and 11 prisoners under the class of delinquents, some of whom were described by Captain Piper, the Commandant of Norfolk Island, to be most desperate characters, making a total of 187 persons, which number was increased on the 2nd of March—by the arrival of the Lady Nelson a second time with 14 settlers and their families, and 17 individuals not holding land—to 239 persons, making a general total of 273 persons added to our original numbers by these three importations.*

The second
and third
shipment of
Norfolk
Islanders.

The whole of these, like the settlers who first arrived, were billeted on the inhabitants, and among them some were found who had sense enough to perceive that, without more assistance arrived in the settlement, it would be impossible for this Government ever to fulfil the promises held out to them by Mr. Windham's letter, and therefore offered, upon my supplying them with nails and a few necessary tools, to provide themselves a shelter against the approaching winter, to which I readily acceded. Some others proposed to waive all their claims upon Government for buildings if I would give them stock equal in value to the houses they had left at Norfolk. To this I could not have any objection, as, had I even taken off the very few carpenters and sawyers I had from the public works then in hand, I should have made but a trifling progress in fulfilling their expectations, which went to the whole extent of their claims. I therefore, with a few sheep and Bengal cows, obtained a release from eight settlers of the promise held out by Government that their houses, outhouses, and barns should be built for them at the public expence.

Billeted on
the settlers
at the
Derwent.Live stock
in lieu of
houses.

I was at this time occupied in preparing materials for building a brick store, 100 feet by 25, which my increasing numbers

A brick store
house.

* The figures given by Fosbrook, under date 1st October (post, p. 778), differ slightly from those here given. Fosbrook's figures, however, include convicts.

1808

20 April.

rendered indispensably necessary, and to effect which I had but three men whom I could call carpenters, six pairs of sawyers, four bricklayers, and a few labourers. From this trifling number I detached one carpenter and a pair of sawyers to assist the settlers, the greater part of whom I have fixed on the banks of the river, in a most eligible situation, about 30 miles above the town.

Dearth of
mechanics.

Your Lordship may be surprised at my not having more artificers and mechanics. It is therefore necessary to inform your Lordship that I have sustained a great loss in this useful class of people by desertions, which it was impossible to prevent, by deaths, and by many having become free through having served their terms of transportation, insomuch that I have lately been obliged to hire some free men who came from Norfolk Island to enable me to furnish the settlers with tools and nails for their huts.

Collins left
to his own
resources.

When I received the first intimation that I was to expect the settlers from Norfolk Island, it was matter of great satisfaction to me to know that I had the advice and opinion of the Governor-in-Chief to resort to in any cases of difficulty that might occur in adjusting their different claims, many of which I foresaw would arise from my former knowledge of their characters. Being by his unforeseen removal left wholly to my own judgment in conducting this business, I shall, to the utmost of my means, endeavour to fulfil the promises under which the settlers have abandoned their comfortable dwellings and fertile possessions at Norfolk, in the accomplishing which I shall look forward to the honour of obtaining your Lordship's approval of my conduct.

* * * * *

I have, &c.,

DAVID COLLINS.

MAJOR JOHNSTON TO OFFICERS.

26 April.

Gentlemen,

Headquarters, Sydney, 26th April, 1808.

Evidence of
discontent
with
Macarthur.

I have observed the discontent which has for some time prevailed amongst a few officers with the greatest concern; and as I have unquestionable evidence that this discontent has entirely arisen from the confidence I have reposed in Mr. McArthur, Secretary to the Colony, I have now assembled all of you together who are doing duty at headquarters, and have sent a copy of this letter to the detached posts, that those officers who have anything to alledge against that gentleman may come forward and distinctly state in writing what it is they have to charge him with.

Johnston
willing to
hear com-
plaints.

If he has committed any offence, it is not my intention to shut my ears against the proof of it. If anything improper in his conduct can be made appear, he shall be immediately dismissed from his office. And I hope some of you gentlemen will have public spirit sufficient to supply his place, and to perform the laborious duties Mr. McArthur now discharges without reward or emolument.

To preserve the peace of the settlement, and to promote the prosperity and honor of His Majesty's Government are my only objects, and I am confident that those objects cannot be secured but by the annihilation of the party spirit that has unfortunately too much prevailed, almost ever since the day when you all urged me to assume the Government, and pledged your words of honor to support me in the measure. How far a desire to deprive me of the services of Mr. McArthur at such a crisis as the present can be considered as an observance of that promise, it will rest with those gentlemen who are adverse to him to explain. For my own part, I think no officer will aver that Mr. McArthur has not fulfilled his share of that solemn engagement; that he has not devoted himself with unremitting assiduity to the public affairs; that he has not exposed himself to reproach and obloquy by his exertions to detect the frauds and oppressions of the late Governor; or that he has not faithfully done everything in his power to carry my wishes into effect for the reduction of the expenditure of public money, and to prevent the improper distribution of the public servants and property.

1808

26 April.

The prevalence of party feeling.

Macarthur's zeal.

But perhaps these are his offences. If so, let me assure you that he has only obeyed my orders, and that, had he acted differently, I should have been as ready to withdraw my confidence from him as I know some of you are desirous that I should.*

I am, &c.,

GEO. JOHNSTON.

To Captain Edward Abbott, Captain A. F. Kemp, John Harris, Esq're, Surgeon; Lieut. William Moore, Lieut. Thomas Laycock, Lieut. and Adj. Wm. Minchin, Lieut. William Lawson, Lieut. Cadwallader Draffin, Ensign Archibald Bell, New South Wales Corps; Captain Thomas Moore, Sydney Association; Thomas Jamison, Esq're, Principal Surgeon; James Williamson, Esq're, Acting Commissary; Nicholas Bayly, Esq're, Acting Provost-Marshal; Mr. Fitz, Deputy Commissary; Mr. D. Wentworth, Assistant Surgeon; Mr. James Mileham, Assist't Surgeon; Garnham Blaxcell, Esqr., J.P.†

OFFICERS TO MAJOR JOHNSTON.

Sydney, 26th April, 1808.

THE undersigned officers having assembled by order of His Honor the Lieutenant Governor to give their sentiments on a letter which His Honor laid before them, are unanimously of opinion that they do not feel themselves justified, nor would they presume to call in question the right or propriety of his consulting any person he

The officers' reply.

* According to Caley (post, p. 689), it was rumoured that this letter was written by Macarthur himself.

† D'Arcy Wentworth was the only one on the medical staff who signed the reply. Jamison's, Harris's, and Mileham's names were not on it.

1808 may think proper, either publicly or privately, and that they shall
 26 April. at all times feel much pleasure in obeying his orders, which is all
 they consider they have to do as officers serving under him.

| | |
|---------------------------------|-------------------------------------|
| ED. ABBOTT, Capt. N.S.W. Corps. | JAMES WILLIAMSON, Act'g. Com'ry. |
| ANTH'Y FENN KEMP, Capt'n. | R. FITZ, D'y Com'ry. |
| WM. MOORE, Lieut. | NICHOLAS BAYLY, Act'g. P.-M. |
| THOS. LAYCOCK, Lt. | G. BLAXCELL, J.P. |
| WM. LAWSON, Lieut. | WM. MINCHIN, Lieut. & Adj't. N.S.W. |
| CADW'R DRAFFIN, Lieut. | Corps. |
| THOS. MOORE, C.L. Assoc'n. | D. WENTWORTH. |

PROVOST-MARSHAL GORE TO VISCOUNT CASTLEREAGH.

Sydney Gaol, New South Wales,

My Lord,

26th April, 1808.

Although it is a matter of much uncertainty that this letter, under existing circumstances, can ever reach your Lordship, actuated, however, by a sense of my duty, and by the wretched state of this, at present, unhappy country, I am resolved to hazard the attempt of transmitting it.

The colony
under Bligh.

This country was advancing rapidly to prosperity and happiness, in consequence of the salutary and fostering regulations of Governor Bligh, who had indisputably at heart the true and real interests of his King and the people over whom he presided, until the military officers, indignant, I presume, at the loss of that influence and independence which the Governor's prohibition of the barter and traffick of spirits deprived them of, rose suddenly on the evening of the 26th of January, and proceeded with the battalion of the New South Wales Corps in hostile battle array to Government House, arrested the Governor, whose person they have since kept in the most cruel and ignominious restraint, seized his papers, and suspended from the performance of their official duties all such officers as were in his confidence, and consequently obnoxious to them. On the same evening they struck his broad pendant, which was then flying in the harbour.

His arrest
by the
military.

Mr. John McArthur, who had been an officer in the New South Wales Corps, but who is now a settler, and has acquired considerable property here by the liberality of the British Government aided by other means, and who was to have been arraigned on the morning of the 25th of January for various misdemeanours committed by him against the Government, was the immediate cause of precipitating this outrageous act of mutiny and rebellion. On this occasion Mr. McArthur, senior, his son Edward Macarthur, who is now on his passage to England, together with other private individuals, appear to have participated (doubtless with the concurrence of their officers) in the command of the military, McArthur, junior, being the identical person who placed a military guard over the house and papers of Mr. Atkins, the Judge-Advocate.

Macarthur
the
immediate
cause.

By the night of the 26th January, Mr. Campbell, the Naval Officer and a Justice of the Peace, Mr. Palmer, the Principal Commissary and a Justice of the Peace, and the Rev'd Mr. Fulton were sent home in arrest to their respective houses; Mr. Griffin, the Governor's Secretary, taken from Government House, was taken in arrest in the house of Lieutenant Moore, of the New South Wales Corps; and by the express orders of Lieutenant Minchin was made a prisoner of by two soldiers, and conveyed by them as a publick spectacle for the populace, from Government House to my own house, from whence I was again dragged to jail by the orders of McArthur at half-an-hour after 10 o'clock that night, by the Corporal Hughes, who, since then, as a reward for his active services on that day, has been withdrawn from his immediate military duty, and attached as an orderly to McArthur. All the officers of the New South Wales Corps (except those who are nevertheless equally implicated with the rest) have been appointed magistrates by the self-created government, and several committees were formed by them, before whom the suspended officers were compelled to appear and be examined on oath, in the midst of an armed soldiery, respecting all such circumstances as they imagined could have a tendency to establish the criminality of the Governor. What reliance will be affixed to evidence thus extorted at the point of the bayonet, His Majesty's Ministers are hereafter to determine; but your Lordships may depend upon it that nothing repugnant to the honor, the rectitude, or the integrity of the Governor appeared, for nothing existed, except in the intentional misrepresentations of the profligate, seditious, and intemperate junto, that has dared to subvert His Majesty's Government. His Majesty's ship Porpoise was not in Port Jackson at the time the Governor was deposed from his authority, having been sent by him on service previous to that event to the Derwent and Norfolk Island. However, on her arrival here a few days after, Mr. Symmons, who was acting commander of her, without the least hesitation, and forgetful of his duty to his superior and commanding officer, passed him by and delivered the despatches that were intended for, and directed to, the Governor-in-Chief, to Major Johnston, who has been elected by his partizans Lieutenant-Governor. Mr. Symmons having acted in so exceptionable a manner, Captain Bligh directed his secretary to transmit his warrant appointing Mr. Kent, an officer of the Navy on this station, to the acting command of the Porpoise to Major Johnston, to be given by him to Mr. Kent, who, notwithstanding the Governor's advice that was given to him on the occasion should have pointed it to him a different line of conduct, has since put to sea without the consent or orders of his Commodore, of course under the directions of the persons who at present exercise the administration of this illfated country. A complete change of measures has been

1803

26 April.

Officers
arrested.

New
magistrates
appointed.

The
command of
the Navy.

Symmons
and Kent.

1908

26 April.

Prepara-
tions for
sending
Bligh Home.

effected by the ruling faction, and the appointment of the suspended officers have been transferred to such creatures of McArthur's as had evinced a total disregard for their duty and allegiance, by abetting and promoting a cause so fraught with treason and danger.

A proposal, accompanied with a threat if he would not accede to it, was made to the Governor a few weeks since that he would be sent in the Porpoise (as a favor) in arrest if he would pledge himself not to interfere in the command on the voyage; but on his refusing to comply with such degrading terms, he was informed that he would be forced on board the Dart, a vessel belonging to McArthur, and the day was fixed on when he was to be violently embarked; but two days previous to it a vessel arrived from Port Dalrymple, which I have reason to believe conveyed intelligence to the officers of the New South Wales corps of Lieutenant-Colonel Patterson's (their senior Commanding Officer) disapprobation of their proceedings. They have, therefore, deferred sending the Governor to England until the Porpoise returns from Port Dalrymple, where she has been dispatched conformable to the directions of the Lieutenant-Colonel to carry him up here for the purpose, as I understand, of his assuming the administration during the absence of the Governor. We daily expect his arrival, and to his firmness and fortitude in resisting lawless aggression and rebellion we look for, at least, a partial relief and alleviation from the calamities we must continue to labour under until we are finally delivered by the more efficacious interference of the British Ministry from the ignominy, oppression, the injustice, and the distractions consequent upon a state of anarchy and the usurpation of legitimate authority.

Waiting for
arrival of
Patterson.

Bayly a
confederate
of
Macarthur.

Mr. Nicholas Bayly, who was a lieutenant in this Corps, and who has been the confidential agent of McArthur throughout this nefarious transaction, has, at the instance and prosecutions of McArthur, charged me with being guilty of wilful and corrupt perjury, inasmuch as that I said "that McArthur was not in my custody as Provost-Marshal, or in any other custody that I knew of," on that night of the 25th of January, on which charge I was on the 21st of March brought before one of their pretended tribunals for trial; but objecting to their self-constituted jurisdiction, and challenging the number of their illegal laws, they at that time thought proper to forego trying me, and I was then ordered to jail, where I have been since locked up under circumstances of extreme and peculiar rigour by the orders of Mr. Charles Grimes, who, since the subversion of the Government has officiated in the two-fold capacity of Judge Advocate and parson, as will be borne testimony to by the several couples he has united in matrimony. Since the 26th of last January I have made repeated application to him for a copy of the warrant under the authority of which he has committed me to

Gore in
prison.

prison, and for various other documents necessary for my vindication, which in his official capacity he had in his possession; that on various pretexts and subterfuges he has avoided giving them to me. Bayly, reduced to a condition of extreme indigence by his own imprudence, and the defendant and counsellor of McArthur, has been remunerated by him for his perfidy in the assistance he contributed to the overthrow of the Government, and the false and groundless charges exhibited by both of them against me, with the fees and emoluments arising from my appointment, he being invested with the duties of Provost-Marshal ever since the 26th of January. Thus have treason, licentiousness, dishonour, falsehood, and injustice combined to pillage me of my little property, to rob me of my liberty, and to plunder my beloved and amiable wife, who has been reared in the lap of tenderness and comfort, and my four darling infants, of the very means of existence in this inhospitable region. I shall be extremely happy if this letter should arrive without interruption, as the Governor (who knows not that I write it), nor any of us who adhere to him, dare flatter ourselves that any letter we might send through the medium, and with the knowledge of our avowed enemys, would be allowed to pass uninterrupted. My duty and inclination equally prompt me to write a long letter, and to detail the particulars of the violent and audacious outrage that has been unprovokedly perpetrated by a wanton and seditious junto, but a well-grounded apprehension that even this imperfect outline may be interrupted prevents me. I shall, therefore, only observe that when the Governor and the faithful servants of the Crown, have an opportunity of developing the whole of this unprecedented invasion of His Majesty's rights, I make no doubt that the disgraceful and rebellious scenes that have been exhibited here since the 26th of January will call down upon the unworthy authors of them the just vengeance and indignation of the British Ministry.

Before I conclude my letter, I entreat your Lordship's pardon for observing that in a political point of view it will be at this time and hereafter peculiarly dangerous to the very dependance of this country on the British Empire longer to permit any regiment, though raised for local service, to continue stationary here. The officers of the New South Wales Corps, sojourning here for the long period of twenty years, have collectively aggrandised themselves, by the acquirement and accumulation of considerable landed and personal property, and having at their disposal the force that has been destined to uphold the necessary obedience to the laws estranged from European manners and customs, and emboldened by their immense distance from the parent state, they have at length arrogated to themselves the most unlimited authority, as it is now but too fully evinced by their having rendered themselves paramount to the civil power, changed not

1808

26 April.

Bayly's
emolu-
menta.Letters
likely to be
intercepted.Danger of a
permanent
military
force.

1803

26 April.

only the very forms of justice in the commencement of their revolutionary career, but have annihilated her very existence in the territory, and lastly by their having subjected His Majesty's representative to their capricious indignities and domination.

Examining
Bligh's
papers.

Gore's
account of
the policy
of the mili-
tary officers.

During the night of the 26th of January and the succeeding day, McArthur, Bayly, the officers of the New South Wales Corps &c., were engaged in examining and searching the Governor's papers for proofs of his guilt, his enormity, and his malversations. Such at least they imagined and persuaded themselves they would discover, for now, my Lord, and it is extremely worthy of notice they were to look and search for some cause whereon to rest a justification of their mutinous and rebellious proceedings. Being foiled, however, and disappointed in their hopes and expectations, they have since, I believe, thought it is expedient to prefer charges against him, founded upon the oaths and allegations of each other, acting reciprocally as informers and magistrates, and so *vice versa*, by imputing to him criminally of conduct in his household or domestic arrangements, his disbursements, and in the expenditure equivalent and necessary to the support of his rank and dignity. By a fallacious construction and perversion of all his actions, of every part of his conduct, they trust to their ingenuity and artifice in deceiving and blindfolding His Majesty's Ministers, by which means they imagine they will establish their apology for having arrested the government out of the Governor's hands. But, my Lord, be assured that Governor Bligh is an honest, an upright, a faithful, and an independent servant of the Crown. Saturday, April the 30th, my oppressors appeared inclined and determined to treat me with still greater rigor, having this morning and yesterday denied admittance to my friends to see me; but I am resolved to submit to the utmost extremity rather than compromise my successor's dignity, or consent to an abridgment of his rights by acknowledging their jurisdiction or authority.

As I have written this letter under great fear and agitation of mind—in a cell, too—I hope its great illegibility will be forgiven. A regiment of the line and a frigate of six-and-thirty guns would restore affairs to their usual good order, and would make His Majesty's authority respected. I am so beset that I must close my letter abruptly.

I have, &c.,

WM. GORE,

Provost-Marshal.

JOHN JAMIESON TO GOVERNOR BLIGH.

28 April.

Jamieson's
adherence
to Bligh.

Sir,

Parramatta, 28th April, 1808.

The late presumptuous and unprecedented act against your person, which ought to have been deemed as sacred as His Majesty's, was by none more disapproved of than myself. At the same time I thought it my duty to continue in my situation for the good of the

public until I saw how things were likely to be settled, as it was generally supposed that the freeholders of land throughout the colony would rise in your behalf for the purpose of reinstating you in your lawful authority, of which they are all sensible of your being so very unjustly deprived. But their efforts, as yet, has proved impracticable—not for the want of good will, but the want of means. When I found Mr. McArthur wanted the whole of Government stock to be removed to Broken Bay, amongst rocks and barren ground, to the great detriment of the cattle, that he might have the whole range of land where they now graze for his own stock to run in, I remonstrated against his proceedings, knowing that I held my situation for the preservation of the stock instead of its destruction. As I could not act under Mr. McArthur and Mr. Fitz, Deputy-Commissary, to do justice to the Government cattle that has been so many years under my charge, which has both been my pleasure and my duty to improve it, with real concern I now see them neglected, and under the care of a very worthless man*; but trust I shall not have that mortification longer. I thought it my duty to shew John Palmer, Esq., Commissary, the whole of the correspondence that had passed on the business between Major Johnston, Mr. McArthur, and myself, which shall be faithfully transmitted to your Excellency whenever it may be your pleasure to peruse it, by which means you will see that I have never deviated from my duty, either to your Excellency or the public. I sincerely wish that Colonel Paterson was arrived to put an end to the anarchy, injustice, and tyranny, which at present prevails in defiance of all law and justice.

1808
28 April.

Efforts of
Jamieson's
friends.

The charge
of the live
stock.

JNO. JAMIESON,

Principal Supt. of Government Stock.

P.S.—I shall trust to your Excellency to lay this letter before His Majesty's Ministers, after having served the public faithfully for sixteen years.

GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.† (Banks Papers.)

Government House, Sydney, New South Wales,

My Lord,

30th April, 1808.‡

30 April.

[1.] My last dispatches by the Duke of Portland on the 30th of October§ will have communicated very favourable accounts of the colony and its welfare, continued, to the infinite satisfaction of every good person, until the 26th of January.

Bligh's
previous
letters.

[2.] The country became well cultivated. The settlers and landholders had a market for whatever their labours produced, and

Thriving
condition of
the colony.

* See Johnston to Castlereagh, 12th April, 1808, ante, p. 591.

† This was Bligh's first despatch after his arrest. It was sent secretly by The Brothers, through a London merchant, under cover as bills of exchange.

‡ The paragraphs in the original letter were not numbered; but in the copy dated 30th June, 1808 (post, p. 657) they were. As the first fifty-four paragraphs in the June letter were identical with the first fifty-four paragraphs in the April letter, only the latter has been printed. The numbers have been inserted in brackets, and the letter of 30th June commences at paragraph 55.

§ The despatches were dated 31st October—ante, p. 349 to 370.

1808

30 April.

confidence in each other was bringing about every good that was expected. Their industry was recompensed with a good harvest, and to add to this the convicts were become reconciled and contented in their situation as servants, feeling no oppression or wanton punishment.

The
suppression
of monopoly

[3.] When ships arrived, the usual impositions were suppressed. The necessaries which they introduced were open to every one's purchase, and by this means the numerous people in the country had opportunities to relieve their wants without being so much subject to the wicked monopolising persons who heretofore had been making themselves rich on the vitals of the poor.

An address
from
settlers.

Leading
men's and
officers'
names not
affixed.

[4.] On the first day of the year, under an impression of what I had done for them, I received a dutiful address,* signed by nearly nine hundred persons, which never was known in this country before; but to this address it is to be observed that John McArthur, Edward McArthur, Hannibal McArthur, Garnham Blaxcell, John Blaxland, Gregory Blaxland, Captain Townson, Doctor Townson, Charles Grimes, Surgeon Jamison, Nicholas Bayly, and D'Arcy Wentworth's names, and some others, are not affixed, or any of the military officers. These persons, checked in the enormous practice of bartering spirits, which had principally been the almost ruin of the colony, became privately discontented; and the arch-fiend, John McArthur, so inflamed their minds as to make them dissatisfied with Government, and tricked them into misfortunes, even to his own advantage, which they now, at too late a period, acknowledge, in addition to the iniquity he has led them of treason and rebellion to the State.

Macarthur
the ruling
spirit.

[5.] This McArthur began his career with endeavours to delude the settlers and landholders, but who execrated him for the attempt, as they had always done. He then opposed the civil magistracy, and bid defiance to all law and Colonial Regulations; and, after all, under the pretext of great benefits which would arise to the military, he, with a Mr. Nicholas Bayly, seduced Major Johnston and all the officers and privates of the New South Wales Corps from their duty and allegiance into open rebellion against me, His Majesty's Representative and Governor-in-Chief of the colony, and the whole civil power and magistracy.

The soldiers
march to
Govern-
ment House.

[6.] This rebellious act was done so suddenly that in about five minutes from the time we first knew of it, Government House was surrounded with troops, Major Johnston having brought up in battle array above three hundred men under martial law, loaded with ball, to attack and seize my person and a few friends, some of whom were magistrates, that had been at dinner with me. Their colours were spread, and they marched to the tune of the "British Grenadiers"; and, to render the spectacle more terrific to the townspeople, the field artillery on the parade was presented

* See this address, ante, p. 410.

gainst the house where I became arrested, and had five centinels placed over me, and the civil magistrates were put under an arrest in their own houses.

1808

30 April.

[7.] In order to detail some things explanatory of the conduct of the designing persons connected with the rebellion of the New South Wales Corps, it is proper I should at least show the recent circumstances which took place antecedent to their treasonable attack on my person and the confinement which I still remain under. To go farther back would fill a volume in explaining the wickedness of McArthur and Bayly and their adherents. The former stands sufficiently notorious in all the accounts which have been sent to your Lordship's office since the colony began, and whose very breath is sufficient to contaminate a multitude, and who has been a disturber of public society and a venomous serpent to His Majesty's Governors. He has hitherto overcome them with his artifice; but under the dignity and firmness I have pursued, he has been obliged to add low and illiberal falsehoods and a most cowardly force of arms. As to the latter, I believe he stands dismissed from the New South Wales Corps for improper conduct, and of notoriety likewise in your Lordship's office.*

Bligh
denounces
Macarthur.

[8.] From the frequent desertions of the convicts it was necessary to make a Colonial Regulation that masters of ships and vessels should give a bond of eight hundred pounds, with fifty pounds each, not to take away such characters when they sailed from the port.† Mr. McArthur and his partner, Mr. Blaxcell, became bondsmen on a vessel called the Parramatta, belonging to Mr. McArthur, and the vessel sailed for Otaheite.

Regulations
for prevent-
ing the
escape of
convicts.

[9.] A suspicion arose that a J—— H——, had absented himself, and on the return of the schooner we found he had been secreted on board and allowed to escape from Otaheite in a ship called the General Wellesley, bound to India.‡ In consequence of this the Naval Officer sued for the amount of the bond in the Civil Court,

One escapes
to Otaheite.

* In this Bligh was wrong. Bayly was certainly tried by Court-Martial under King's Government for ill-treating his convict servants; but he was not dismissed from the Corps. General Order, 7th December, 1808 (post, p. 817), it was notified that he had retired.

† See the Government and General Order of 28th September, 1805, vol. v, p. 695. The amount of the bond originally was, however, £500; altered on 4th October, 1806 (ante, 194), to £800.

‡ *Marginal Note by Governor Bligh, written on a copy of this despatch sent Home in August, 1808.*—"Since completing this despatch, one of the missionaries who came from Otaheite has made oath to this circumstance of the convict escaping by the connivance of the master. A copy of his affidavit is enclosed." The following is the affidavit referred to:—

County of Cumberland } James Elder, missionary of the Island of Tahite, one of the
to wit } Society Islands in the Pacific Ocean, came before me, one of his
His Majesty's justices of the peace for said county, on the twenty-sixth day of July, in the year
Our Lord 1808, and made oath on the Holy Evangelists, that on or about the month of
August last, John Jefferson, justice of the peace for that island, wrote a letter on His
Majesty's service to John Glenn, master of the schooner Parramatta, charging him to take
care of J—— H——, a convict, and bringing him back to Port Jackson, from whence he had
escaped; and some time after he (Elder) and Cummings, now the master of the Dundee,
told Glenn that H—— was hidden on board the General Wellesley, and desired that he
should search for him; but Glenn did not search, and he is convinced H—— went away in
the General Wellesley.

JAMES ELDER.

Sworn before me, this 20th day of July, 1808,—JNO. PALMER, J.P.

1808

30 April.

and on the 14th of December last it was determined that the bond was forfeited. On this decision Mr. McArthur was very illiberal and abusive. He refused to have anything to do further with the vessel, or to pay or victual the master or crew, and they were turned on shore. Shortly after they petitioned me for redress, and I directed the Judge-Advocate to enquire legally into the transactions, who immediately wrote to McArthur a polite letter* to appear and explain why those men were thrown on the public without support.

The
attempted
arrest of
Macarthur.

[10.] The next morning the Judge-Advocate received a letter† from McArthur which contemptuously referred him to the Naval Officer, and refused to attend or give any explanation. The Judge-Advocate therefore issued a warrant to Mr. Oakes,‡ the chief constable, to bring McArthur from Parramatta the next day to appear before him, and Oakes accordingly arrested McArthur, who nevertheless refused to obey, and warned him if he came again to come well armed, as some blood should be spilt before he would submit, and then wrote a paper and delivered it to Oakes, saying it might save him some trouble. Oakes remonstrated, and said, "Sir, I will call in the morning; you will then have time to consider." "No," McArthur replied, "take it now," which he did, and returned without McArthur, but who, nevertheless, some time after followed Oakes to Sydney—who had delivered the paper he had received to the Judge-Advocate. The paper contained as follows:—

"You will inform the persons who sent you here with the warrant you have now shown to me, and given me a copy of, that I never will submit to the horrid tyranny that is attempted until I am forced; that I consider it with scorn and contempt, as I do the persons who have directed it to be executed.

"(Signed) J. MCARTHUR."

The second
warrant for
Macarthur's
arrest.

[11.] The Judge-Advocate, on receiving this written paper, called together Major Johnson, Mr. Palmer, and Mr. Campbell, as magistrates, who all agreed that Mr. Judge-Advocate Atkins should enforce the warrant he had issued as a magistrate, and seize McArthur. He did so by directing another warrant to the chief constable and others, who arrested McArthur and took him before the Judge-Advocate, who admitted him to bail to appear before a full Bench of Magistrates the next day (Thursday, the 17th).

Macarthur
committed
for trial.

[12.] Accordingly, the magistrates, Major Johnston, Captain Abbott, Mr. Palmer, Mr. Campbell, and the Judge-Advocate met. When McArthur came before them he objected to Mr. Campbell sitting, in his usual impertinent and irritating language. Mr. Campbell did not sit, but the others proceeded to business, and committed McArthur for trial before a Criminal Court, but admitted him to bail for his appearance.§

* Ante, p. 471.

† Ante, p. 466.

‡ Ante, p. 474.

§ See the proceedings of the Bench of Magistrates, ante, p. 477.

[13.] On the morning of the 21st December, the factory at Parramatta was burnt down. It had been set on fire by a quantity of rubbish of the flax under the shed, which surrounds the yard, and speedily communicated to the outside of the building, which it destroyed. The gaol, being connected with this building, was with difficulty saved.

1808
30 April:

[14.] It appeared that this violent outrage had been committed through design, yet with the utmost enquiries we have not been able to find out the perpetrators of the deed.*

[15.] On Tuesday, the 29th, while McArthur was under an arrest on bail to be tried by a Criminal Court, I received a memorial from him against the Judge-Advocate on account of a bill drawn fifteen years ago upon General Bowyer. It appeared that this bill was for £26 6s., and was drawn the 4th February, 1793. McArthur had now made it amount to £82 9s. 5d.; and Judge-Advocate Atkins declared he had never heard anything about it until ten days before, and the bill had received no regular protest, although McArthur, in his memorial to me, stated that it had been regularly protested. I referred this business, however, to Mr. Atkins, who promised to settle the bill. McArthur requested that, in order to enable him to arrest Mr. Atkins and sue him for the debt, I would suspend him for the time; and this suspension appeared to be the object he had in view to enable him to plead it more powerfully as a reason why he should not sit on his trial in the ensuing Criminal Court.

Macarthur
and Atkins

[16.] On the 4th January, 1808, Captain Putland, of His Majesty's ship Porpoise, died. He was my son-in-law, and on the 7th was buried near the church with all military honors. The officers and all the New South Wales Corps attended the procession—Major Johnston as one of the chief mourners.

The death
of Captain
Putland.

[17.] On the 11th I discovered that arrangements had been made some time before for Captain Abbott, the commandant of the troops at Parramatta, to exchange duties with Captain Kemp at Sydney. Abbott was a magistrate, and it was supposed he would be continued such at Sydney, and that Kemp would be appointed at Parramatta in his place. By this change their plan was to have a preponderancy in the Benches of Justices. As this arrangement was without my knowledge, it was an incorrectness in Major Johnston, who ought to have communicated it to me in the first instance. However, I settled it in the following manner:—I allowed the change to take place; but as we wanted no additional magistrate at Sydney, Captain Abbott's services in that capacity were no longer necessary; and I appointed Mr. Williamson, a Deputy Commissary of long standing in the colony, a magistrate at Parramatta. Mr. McArthur also came down to live at Sydney about this time.

Captain
Abbott.

* There is nothing in the "Records" to show that the slightest foundation existed for the insinuation which Bligh appears to make, that Macarthur or any of his partisans were privy to this act of incendiarism.

1808

30 April.

Spirits from
the Cape.

[18.] On the 12th a ship, called the City of Edinburgh, arrived from the Cape of Good Hope, laden with about twenty-two thousand gallons of spirits—a leaky ship, which rendered it necessary for her to discharge her cargo immediately; but as the quantity of wine and spirits seemed enormous, I ordered it into store until I could consider what quantity ought to be distributed; and this precaution was the more necessary as two American ships, the Jenny (Captain Dorr), and the Eliza (Captain Corry), were in the harbour, whom I had been under the necessity of restricting from issuing their spirits, but had permitted them to dispose of their wine and merchandise they had before the City of Edinburgh arrived.

Macarthur
and the
soldiers.

[19.] These circumstances existing, MacArthur began to influence the minds of the New South Wales Corps, by promising them large quantities of wine at a very low price, which he foresaw I would be under the necessity of preventing;* and also by attempting to erect an enclosure round ground whereon was a public well adjoining to the church, which I prevented him taking possession of until the will of His Majesty's Minister should be known, although he had got a lease of it from Governor King [but which was given in a very hasty manner as soon as the Fortune arrived—a ship which sailed in company with us from England—and announced my near approach].† I was led to this determination from a conviction of the great inconvenience which would arise to the public by encroaching on the little ground that belonged to the church for uses applicable to it, while he maliciously circulated a report that he was to be deprived of the benefit of his lease; and what rendered it probable was that, by his beginning to enclose the ground, I was under the necessity of publicly putting a stop to his work, which he had secured to accomplish suddenly by hiring a number of men of the New South Wales Corps. I had offered him a compensation for this ground to its full amount in or about the town which was not already secured for Government, or occupied by an individual.‡ It must not be forgotten that during this time MacArthur was under an arrest to be tried by a Criminal Court.

Macarthur's
leasehold.An officer's
mess.

[20.] Major Johnson came on the 22nd and informed me that he and his officers had agreed to institute a mess, where they should dine together every twenty-fourth day of the month, and requested at the same time a permit from me for a pipe of wine from the City of Edinburgh as a present for that mess—which request I granted.

* See evidence at trial of Lieutenant-Colonel Johnston. It appeared that MacArthur, who had purchased a quantity of cheap wine, informed the non-commissioned officers of the Corps that he was willing to retail it, or a portion, at very reduced rates. There is no evidence to show that any spirits were sold.

† In this Bligh was in error. The lease bears date 1st January, 1808. The Fortune sailed from England on the 28th of that month, and arrived at Sydney on 12th July, 1808. The lines enclosed in brackets were added by Bligh to copies of the letter forwarded at later dates.

‡ See the correspondence between Grimes and Macarthur, ante, pp. 413, 414, 416, and 417.

[21.] They dined together on the 24th for the first time in one of the barracks, before the door of which they planted their regimental colours; and the music played till about nine or ten o'clock. Of his party—besides the military officers—were (as I was informed by Mr. Atkins, the Judge-Advocate), Mr. Bayly, Surgeon Jamison, Dr. Townson, Mr. Grimes, Surveyor-General; Mr. Mileham, Assistant Surgeon; Mr. John and Gregory Blaxland, settlers; Mr. Garnham Blaxcell, merchant; Mr. Hannibal McArthur, Mr. Edward McArthur, and his father, Mr. John McArthur*—who was to be tried by a Criminal Court the next day. This extraordinary meeting, where six of the members of that Court, were collected with the prisoner whom they were to try, seemed to indicate sedition; but no person then conceived of it otherwise than a trick of theirs to intimidate and insult the Government.

1808

30 April.

Guests of the officers.

[22.] On the morning of the 25th, the Judge-Advocate and the other members of the Court met. The Judge-Advocate read the precept and administered the oaths to the six members. The prisoner then desired they would proceed no further until they permitted him to read a protest, which he held in his hand, against the Judge-Advocate, Richard Atkins, Esq., sitting on his trial. The Judge-Advocate said it was inadmissible. Captain Kemp and Lieutenant Lawson insisted he should be permitted to read it, in which the other four members acquiesced, and Captain Kemp refused to administer the oath to Mr. Atkins. On this an altercation arose, Mr. Atkins insisting they could be no Court without him. However, McArthur proceeded to read what he called a protest, which was a violent invective against Mr. Atkins.† The chief objections which it contained were, that he (Mr. Atkins) was in his debt, of infamous character, and had hostile enmity against him (McArthur.) The Judge-Advocate then arose and said he would commit the prisoner, for it was a most illegal proceeding in the Court to permit by violence such a paper to be read against him, and in the prisoner to read it before he (the Judge-Advocate) was sworn in; and he represented to me that, besides the scurrilous matter it contained, Mr. McArthur delivered it with emphasis, tone of voice, and gesture which was calculated to excite the disrespect and indignation of the surrounding multitude against His Majesty's Judge-Advocate.

Court meets for trial of Macarthur.

Macarthur objects to Atkins.

[23.] Captain Kemp, Lieutenant Minchin, and Lieutenant Lawson said the Judge-Advocate should not commit McArthur; and Captain Kemp added that he would commit him (the Judge-Advocate.)

The Judge-Advocate and the Court.

[24.] The Judge-Advocate, on being refused to sit, quitted the house, loudly calling out there was no Court, and sent back a constable to bring the public documents which he had prepared and made ready for the prosecution; but the six members refused

* "The day before the trial the officers dined together at the barracks. Mr. Macarthur was certainly not at the table, nor have I ever said he was."—Extract from Governor Bligh's reply, *Trial of Lieutenant-Colonel Johnston*, p. 399.

† The protest is printed as an enclosure on p. 422, ante.

1808 to give him up the papers, and he came to report the case to me, saying that he had been treated extremely ill, and looked for my protection in supporting the law and justice, which the colony called for.

Civil officers
report to
Bligh.

[25.] Mr. Campbell and Mr. Palmer, justices of the peace; Mr. Griffin, my secretary; Mr. Fulton, clergyman; and Mr. Gore, Provost-Marshal, were present, and heard and saw all that passed, and certified to me that Mr. Judge-Advocate Atkins had done all he could do, and that the tumultuous conduct of Captain Anthony Fenn Kemp, Lieutenant John Brabyn, Lieutenant William Moore, Lieutenant Thomas Laycock, Lieutenant William Minchin, and Lieutenant William Lawson, obliged Mr. Atkins to retire.

[26.] Letters passed immediately from the refractory members to me, requiring another Judge-Advocate. In reply to this, I declared them to be no Court, and that the Judge-Advocate could not be superseded; for both they and the prisoner contended for a right of challenging, although the patent expressly declares that the Court shall be composed of His Majesty's Judge-Advocate and such six officers of his forces, either by sea or land, as the Governor shall direct.

The right of
challenge.

[27.] Many inconveniences would arise if the Governor attended to every representation of a prisoner, or of the members of a Court, in suspending the Judge-Advocate; and, though it were granted that the Governor might use his discretion in suspending him on such occasions, yet it seems quite unreasonable that he should be compelled to do it, as the patent gives the members of the Court no such power. If the right of challenge was admitted, there would not, in cases innumerable, be a sufficiency of officers to form a legal Court in the colony, which the patent seems wisely to provide for.

[28.] Here I demanded the public papers of the trial, which they refused.*

Macarthur
asks for a
military
guard.

[29.] They now wrote to me for a military guard for Mr. McArthur, and enclosed an affidavit of his,† made before them, signed by all their names, stating that he heard he was to be taken by a large body of armed men, who had orders to carry into execution a warrant from the Judge-Advocate for executing his lawful right of challenge against the said Judge-Advocate and assigning his reasons for it, as he was directed to do by the Court; that he considered his life in danger from the unprincipled and atrocious characters combined against him, under the direction of the infamous George Crossley; and that he therefore declined giving any bail, and entreated the Court would be pleased to put him under the protection of a military guard, they being the only persons in whose hands he could consider himself secure.

* See the correspondence, ante, pp. 422 to 433.

† Ante, p. 428.

[30.] This deposition, which refuses to give bail, and the consequent demand of the six members, seems to have been made by preconcerted measures, in order to intimidate the civil power, which power (for there was no other) is unlawfully called a body of armed men of atrocious and unprincipled characters. I must also observe that the Judge-Advocate had issued no such warrant as that alluded to in the affidavit, and that the assertion is not founded on truth, but appears to have been invented in order to give a plausible pretence to his declining giving any bail; for he knew while the trial depended he could not be admitted to bail but by the will of the prosecutor, under a bond to the Provost-Marshal, which prosecutor was Mr. Atkins, whom he had so villified a few hours before.

1808

30 April.

The
question of
bail.

[31.] It is worthy of observation that Mr. McArthur used every endeavour to win over Mr. George Crossley to assist him in his defence, even by waylaying him in his journey to Sydney, where he came by the solicitation of the Judge-Advocate, Mr. Atkins, to assist him in drawing up the indictment against McArthur on the part of the Crown*; but when McArthur found that he could have no influence over Crossley, he endeavoured to injure him, first by attributing to him such situations as he did not hold, and secondly, by his influence over the military officers, procured a sentence of transportation to the coal-mines for seven years against him for giving this assistance to Government.

George
Crossley.

[32.] On my demanding a second time the public papers of the prosecution to be delivered up to His Majesty's Judge-Advocate, the six members answered that they could not deliver up the original, but I should have copies of them, and that they would adjourn until my pleasure was known.†

The Judge's
papers.

[33.] The Civil power appearing to be in a precarious state, I now wrote to Major Johnston, who was living at his country house, about four miles from his barracks, and had not come into town the whole day, requesting to see him on public business of importance, to which he returned a verbal answer by the trooper (Thornby) whom I had sent, that he was too ill to come, having the evening before fallen out of his chaise on his return from the public dinner.

Bligh sends
for
Johnston.

[34.] Mr. Gore, the Provost-Marshal, now came to declare that McArthur was out of his custody, having refused to give bail. I therefore referred it to the Judge-Advocate and the magistrates, who determined that Mr. Gore should make the necessary oath that his prisoner (McArthur) was out of his custody, which he did, and they granted an escape warrant to take McArthur up.

Macarthur
and his bail.

[35.] On this being done, the magistrates were called upon to meet again the next morning, being Tuesday, the 26th, when McArthur was arrested and sent to gaol by virtue of the warrant issued the night before. A few hours afterwards the six officers met again,

Arrested
under an
escape
warrant.

* Bligh did not repeat this charge in subsequent letters. He probably found that he had been misinformed.

† Ante, p. 427.

1808

20 April

without any order or direction from me, and wrote two letters; one of which* was inclosing the objections of McArthur to the Judge-Advocate's sitting: the other† accusing Mr. Gore of perjury for having sworn McArthur was not in his custody, and requiring another Judge-Advocate to be appointed. I returned no answer.

The Judge-Advocate's memorial.

[36.] According to appointment, the magistrates, Mr. Atkins, Mr. Palmer, and Mr. Campbell met at Government House in the morning, together with Mr. Gore, Provost-Marshal, Mr. Griffin, my secretary, and Mr. Fulton, clergyman, a little before the six officers assembled in the Court-house. In the course of the day they were joined by Mr. Arndell and Mr. Williamson, magistrates, at which time Mr. Atkins presented a memorial‡ to me, stating his situation as Judge-Advocate bearing His Majesty's commission; that he had been ill-used and degraded; that the six members refused to swear him in: that the prisoner McArthur had been and was on terms of intimacy with the soldiers and officers: that he heard he had dined with them the Sunday preceding at the mess: that McArthur's language had been inflammatory to a great degree: that, under all these circumstances, did pray that I would not remove him from his situation, and that the said six officers might be summoned before me to answer for their crimes, which to him appeared treasonable.

The officers summoned to Government House.

Bligh again summons Major Johnston.

[37.] This memorial having been read in my presence, and in the presence of all the magistrates, and sworn to by Mr. Atkins, I ordered a summons to be sent to each of the six military officers to appear before me the following morning at nine o'clock, as it was at this time too late to proceed on this business, that they might answer to the said memorial of the Judge-Advocate's.§ I also ordered the magistrates to attend at the time appointed, and wrote to Major Johnston again, suggesting, if he was not able to be at Sydney at this examination, the propriety of Captain Abbott's being sent for to come from Parramatta to take command of the troops. The trooper messenger, whose name was Tollis, and carried this letter, soon returned, and said the Major desired him to inform me that he was so ill as to be unable to write, but that he *would get a person to write an answer in the evening.*

McArthur's release from gaol.

[38.] Things being so far arranged, Mr. Campbell, Mr. Palmer, Mr. Arndell, and Mr. Williamson retired to dine with me some time after five o'clock. About sunset we heard that Mr. McArthur was liberated from the gaol by Major Johnston's order in writing, as follows:—

“To the keeper of His Majesty's gaol at Sydney.

“You are hereby required and directed immediately to deliver into the custody of Garnham Blaxcell and Nicholas Bayly, Esqrs., the body of John McArthur, Esq., who was committed

* Ante, p. 425.

† Ante, p. 429.

‡ Ante, p. 430.

§ See Bligh's circular letter to members of Court, ante, p. 433.

1 lb.

by warrant, dated the 25th inst., signed by Richard Atkins, Thomas Arndell, Robert Campbell, and John Palmer, Esquires, it having been represented to me by the officers composing the Court of Criminal Judicature that the bail-bond entered into by the said Garnham Blaxcell and Nicholas Bayly remains in full force. Herein fail not, as you will answer the contrary at your peril.

1808
30 April.

"Given under my hand and seal at Sydney, New South Wales, the twenty-sixth day of January, 1808.

"GEO. JOHNSTON, J.P.,

"Lieut-Governor, and Major commanding N.S.W. Corps."

[39.] Besides the unlawfulness of this order, which was issued before they put me under an arrest, and which was a usurpation of my authority, the circumstances stated in it are untrue; for as soon as the bailsmen brought the prisoner before the Judge-Advocate and the six members to whom the precept was read, their bond became null and void, and the prisoner could not again, before the trial was terminated, be at large on bail without the consent of the prosecutor, and a fresh bail-bond being given to the Provost-Marshal. It is true Captain Kemp swore that he told Mr. Gore, the Provost-Marshal, that he delivered him up to his *former bail*;* but Mr. Gore asserts, and my secretary, who accompanied him, swore, that he heard no such thing, and that he did not think it possible that Captain Kemp could have thus expressed himself without his knowledge; indeed, if Captain Kemp had said so, such an expression could not have bound his former bailsmen.

The question of Macarthur's bail.

[40.] Immediately followed an operation of the main guard at our gates priming and loading with ball cartridges, and the whole body of troops began to march from the barracks, led on by Major Johnston, the band playing the "British Grenadiers," and colours flying. [The intention of those troops may in some manner be known by the enclosed paper from a respectable settler.]† In five minutes the whole house was surrounded by an armed force, consisting of between three or four hundred men, all their muskets loaded with ball cartridges, the officers attending in their proper places. Without ceremony they broke into all parts of the house (even into the ladies' room) and arrested all the magistrates, Mr. Gore, Provost-Marshal Mr. Fulton, the clergyman, and Mr. Griffin, my secretary. Thus the civil power was annihilated, and the colony in the hands of the military, guided by McArthur and Bayly. Nothing but calamity upon calamity was to be expected, even massacre and secret murder.

Commencement of military operations.

Government House surrounded.

* See Kemp's deposition, 1808, ante, p. 530.

† See Suttor's affidavit, post, p. 628. The sentence in brackets was inserted in a copy of this letter sent Home in August, 1808, and the affidavit alluded to enclosed therewith.

1808

30 April.

Bligh
retires to a
back room
and is
arrested.

[41.] I had only just time to retire upstairs to prevent giving myself up, and to see if anything could be done for the restoration of my authority ; but they soon found me in a back room, and a daring set of ruffians under arms [headed by Serjeant-Major Whittle],* intoxicated by spirituous liquors, which was given them for the purpose, and threatening to plunge their bayonets into me if I resisted, seized me. I was now obliged to go below, where I found the rooms filled with soldiers, and presently Lieutenant Moore came forward and presented me with a letter from Major Johnston, a copy of which follows :—

“ Sir,

“ Head-quarters, 26th January, 1808.

Johnston
calls upon
Bligh to
resign his
authority.

“ I am called upon to execute a most painful duty. You are charged by the respectable inhabitants of crimes that render you unfit to exercise the supreme authority another moment in this colony ; and in that charge all the officers under my command have joined.

“ I therefore require you, in His Majesty’s sacred name, to resign your authority, and to submit to the arrest which I hereby place you under, by the advice of all my officers, and by the advice of every respectable inhabitant in the town of Sydney.

‘ I am, &c.,

GEO. JOHNSTON,

“ Acting Lieu’t-Gov. and Major commanding N.S.W. Corps.

“ To William Bligh, Esq., F.R.S., &c., &c., &c.”

Johnston
addresses
Bligh in the
presence of
the soldiers.

[42.] I had just read this infamous and rebellious letter when I received a message from this Lieutenant Moore that the Major wished to see me in the adjoining room. When I went I found him at the head of his armed men, and in the presence of Doctor Townson, John and Gregory Blaxland, Garnham Blaxcell, Charles Grimes, Surgeon Jamison, Nicholas Bayly, Hannibal McArthur, and Edward McArthur† ; he pronounced a speech similar to the letter before stated. I was now directed to have no communication with any person whom I had been accustomed to see as a friend ; even my secretary, Mr. Griffin, was ordered from me and was hurried before a committee—martial law having been proclaimed—and, in the midst of terror, interrogated respecting my conduct and concerns as Governor.‡ Of this committee McArthur§ was a member. and said to Mr. Griffin on the occasion : “ Never was a revolution so completely effected, and with so much order and regularity.” He ridiculed Mr. Griffin’s youth, laughed, sneered, and did and said everything to disturb his mind, so that he afterwards knew not what he said from the state he was thrown into by irregular

The examin-
ation of
Griffin.

* This sentence in brackets was inserted in later copies.

† It will be noticed that John Macarthur is not mentioned as being present, although he accompanied Johnston to Government House.

‡ See the examinations of Griffin and others, ante, p. 435 et seq.

§ Bligh is wrong. The committee before which Griffin was examined consisted of Kemp, Lawson, and Grimes.

questions which were put to him, and the browbeating he suffered, besides expecting every moment to be murdered.

1808

30 April.

Bligh's
papers
seized.

[43.] Dr. Townson, Mr. Grimes, Surgeon Jamison, Mr. Blaxcell, and Mr. John Blaxland, rummaged all the rooms upstairs for my public and private papers, which they secured and locked up in my office. Doctor Townson and Mr. Grimes were particularly clamorous and indecent in demanding my keys from John Dunn, my servant, and in knocking my drawers and cabinet about, swearing at him that he knew well where the Governor kept all his private papers.

Sentinels
placed over
him.

[44.] On my retiring I saved the papers containing the accounts of yesterday's proceedings, but all those of to-day were secured by the rebels.* When they had thus far proceeded, five centinels were placed over the house, in and out of doors, and I was left with only my daughter and Mrs. Palmer about nine o'clock at night.

[45.] I have pursued my account with as little digression as possible, that the proceedings may be the more distinct ; but it is now necessary to observe that the law was not martial in this colony ; and that in defence of the law and civil power, and the liberty of the subject, I have been seized while I was acting as the representative of our most gracious King, and in an exemplary manner, at the risk of my life, supporting the independence of the loyal and honest subjects of this remote colony according to our patent and the laws of England.

No excuse
for the
military.

[46.] But the arrest states that this was done by the officers of the New South Wales Corps and respectable inhabitants of Sydney. Surely, if the latter had been so disposed, there could be no excuse for the former, who were particularly placed here and regularly paid for the support of His Majesty's Government in this territory, and not for the subversion of it. The settlers in the colony, amounting to some hundreds, ought to have been consulted, if they thought it could have sheltered them from punishment for such a traitorous and rebellious act ; but the fact is, that when the troops marched from the barracks not more than six or seven names† had been affixed to the paper which exhorted them to commit this crime ; while the whole of those who subscribed their names afterwards declare they did it at the point of the bayonet, which declaration Wentworth made three days afterwards. Constables were sent to that part of the town called the Rocks, and the other parts, to drive people to subscribe their names to this paper to Major Johnston, after the act of rebellion was done ; and emissaries were

The address
signed after
the arrest

* In the copy sent Home in August this sentence read :—"On the troops coming up to the house I had only time to save the papers containing the accounts of the 25th's proceedings ; but all those of the 26th were secured by the rebels."

† *Marginal Note by Governor Bligh.*—"Surgeon John Harris, of the N.S.W. Corps, has since declared to my secretary that not one name was affixed at that time, and also to Mr. Fulton and Mr. Palmer." At the trial of Lieutenant-Colonel Johnston it came out in evidence that the greater part of the signatures were obtained after the event.

1808 sent with papers through the interior of the colony for the same purpose. The paper just alluded to I have procured a copy of. It was written at the moment by McArthur himself, and is as follows:—*

Copy of the
petition to
Johnston.

“Sir,

“26th January, 1808.

“The present alarming state of the colony, in which every man's property, liberty, and life is endangered, induces us to implore you instantly to place Governor Bligh under an arrest and assume the command of the colony. We pledge ourselves, at a moment of less agitation, to come forward to support the measure with our fortunes and our lives.

“We are, &c.,

| | |
|-----------------|----------------|
| “JNO. MCARTHUR. | THOS. MOORE |
| “JOHN BLAXLAND. | THOS. LAYCOCK. |
| “JAMES MILEHAM. | JOHN GOWEX. |
| “S. LORD. | N. DEVINE. |
| “G. BLAXLAND. | WM. BAKER. |
| “D. WENTWORTH. | JAS. WILSHIRE. |
| “N. BAYLY.” | |

And by upwards of one hundred other inhabitants of all descriptions, some of which are the worst class of life.

Bligh
refused the
services of
his secre-
tary.

[48.] When I was arrested I desired of Mr. Johnston that my secretary might be continued with me, to which he replied: “I see no objection, provided it be approved of by the inhabitants”; but Mr. Nicholas Bayly said he thought it was improper, but that he would go and ask. He then went out to McArthur, who kept in the rear of the line of the troops, and returned immediately, saying it could not be admitted, for McArthur and Bayly were the high inquisitors. [Simeon Lord, Henry Kable, Eber Bunker, D'Arcy Wentworth, and some others were also with the troops.]†

Communi-
cation with
the interior
cut off.

[49.] Every precaution was used by the rebels to prevent any communication with the interior of the colony. Guards were set on the road to Parramatta, and no one suffered to pass. Orders were stuck up by Captain Abbott at Parramatta that no communication was to be held with me, as Major Johnston had put me under an arrest and assumed the government. Oakes, the chief constable, who had fled from Sydney, went to Captain Abbott on his arrival at Parramatta and told him the Governor was put under an arrest. “Very well,” replied Captain Abbott, “it must be for the better.”

Papers and
books
seized.

[50.] Besides the seizure of all my private instructions, letter-books, and papers, the Judge-Advocate's and Commissary's paper and accounts were likewise taken possession of, and sentinels placed over them, and all these documents are still kept from me and them.

* The original of this interesting document is now in the National Art Gallery, Sydney. A *fac-simile* is given, ante, 434.

† The names in brackets were added in later copies.

[51]. When we *now* consider the changes of stations of Captains Abbott and Kemp ; McArthur's committing himself by writing a contemptuous paper ; his coming down to live at Sydney ; and other circumstances which I have detailed, as well as some which I have not mentioned, which took place before, such as declaring to Mr. Fulton the soldiery would not have the prohibition of bartering spirits, and that such measures would not be suffered were there fifty men of spirit in the colony ; and as going about the country telling some of the settlers that I governed very ill, and that he was determined to go Home and have me recalled, that he might prosecute me ; [also his making a seditious speech before a Bench of Magistrates and a great number of persons whom he contrived to assemble to hear a pretended impeachment against a Mr. Robert Campbell, junior, for stealing two copper boilers, although Mr. Robert Campbell only executed the Naval Officer's and my orders in carrying the bodies of two stills out of his (McArthur's) yard and putting them on board the Duke of Portland to be returned to England, from whence they were imported without permission*] ;—I say, when we consider these things, it will appear that this subversion of His Majesty's Government was effected in consequence of a settled plan of McArthur's, and not by a mere accident arising from the business of his trial.

1808

30 April.

Bligh states his reasons for believing his arrest was pre-determined.

[52.] The crime of Major Johnston and all his officers is not to be considered as lessened by the wicked artifice of McArthur. No ; it will hereafter be proved that they had at the moment an imaginary expectation they could hold the colony in their own hands, for there were agreements signed that they would not give up their authority on the arrival of a superior officer unless he agreed to their measures until His Majesty's pleasure were known† ; and they persuaded themselves also that the whole executive authority would rest with themselves, and having no check, they would soon secure wealth. At all events, they would have about eighteen months before anything could be done from England to thwart their designs, and this they hoped to prevent by representations which they might frame against me, their Governor.

The culpability of the military officers.

[53.] "Until His Majesty's pleasure was known" is an artful phrase they have made use of in order to cloak themselves under an appearance of a consciousness that they acted according to right principles.

[54.‡] It is inconceivable what money has been made by some people, through the means of bartering spirituous liquors, and the

* The paragraph in brackets was added in copies of the letter sent Home later in the year.

† See the officers and settlers to Johnston, ante, p. 454. The request was made on the day following Bligh's arrest.

‡ See foot-note at commencement of this letter, and that to Bligh's letter to Castlereagh, 30th June, 1808, post, p. 657.

1808

30 April.

Enormous
profits made
by
trafficking
with spirits
as a means of
exchange.

sufferings of the multitude on that account. Beef and mutton is now selling at eighteenpence per lb. ; therefore, if a person has liquor which he procures at eight shillings per gallon, he can dispose of it for forty shillings in barter for such meat ; and, therefore, with a gallon of this liquor he can purchase twenty-six and two-thirds of meat ; whereas a person who could not procure liquor can only go to market with his eight shillings with which he can only buy five pounds and one-third. From this we may see how the people at large must suffer who cannot procure spirituous liquors, and the immense gain those have who can get them. A few individuals have had permission to procure large quantities by one influence or another at very low rates, and afterwards disposed of it up to as high as eight hundred per cent. profit ; but these evils were now done away, to the great satisfaction of the people of the colony except the individuals alluded to, at the head of whom is McArthur and the officers ; but I need not enter farther into this business, which has been fully explained in my dispatch by the Buffalo of the 7th Feb'y, 1807,* and as I have delineated the characters of the persons whom I have to deal with in my dispatch by the Duke of Portland.†

Bligh sends
his
despatches
Home by the
Brothers.

My next dispatch shall be followed up from this clause‡ in as full a manner as hitherto ; but I am now under the necessity to relate the transactions which have followed the 26th in a summary way in order to embrace an opportunity which presents itself, a gleam of hope having arisen to me to communicate with your Lordship with certainty by a ship called the Brothers through private means.§ I was strongly inclined to write by a ship called the Dart which sailed a few days ago, but on reflecting that she was in the interest of McArthur, and that Charles Grimes, the Surveyor-General, and McArthur's son went passengers in her, both deeply implicated in the rebellion, I was constrained to forbear, being assured that through the vigilance of my enemies my dispatch would be re-landed and never sent Home. I was the more ready to believe this, knowing the infamous transaction of their keeping Governor King's dispatches on the occasion of troubles he had in this country, and the box which had contained them was only delivered at your Lordship's office filled with old paper.|| These dispatches were concerning McArthur, and we may therefore judge who was interested in the machination. The duplicate of them was transmitted by a Captain McKellar in a small vessel, but who has been lost ; afterwards a third set was sent, which, owing to the few

* See p. 250, ante ; cf. also the Order of 14th February, 1807 (ante, p. 253) forbidding this traffic under heavy penalties.

† See Bligh to Windham, 31st October, 1807, ante, p. 349 *et seq.*

‡ See the next despatch of 30th June, 1808, post, p. 657, commencing with clause No. 55.

§ The Brothers was the property of John Blaxland and Hulletts, of London. She sailed on the 2nd May, and arrived at the Downs on the 12th September, 1808, in company with the other vessel which Bligh mentions—the Dart—which left Sydney on the 20th April.

|| See vol. v, p. 135.

opportunities of writing to England, did not reach your Lordship's
 ce before McArthur arrived in England, and, from the false
 representations he made, had gained his ends. 1808
 30 April.

His Majesty's ship Porpoise was absent on the duty of evacuating
 orfolk Island. She returned a few days after the 26th, and
 Acting Lieutenant James Symons, who commanded her, joined
 a rebel party, accepting an appointment as magistrate, and gave
 himself a commission as Acting Commander without ever com-
 municating with me, while I was prevented from having any
 transaction with the ship; so that, in addition to their other
 reasonable acts, they annexed that of striking my broad pendant,
 and of taking away my ship, which by every means in my power
 have been endeavouring to regain without effect. On the 29th

March the Lady Nelson tender arrived from the same duty
 as the Porpoise had been on, commanded by Acting Lieutenant
 Kent. This officer immediately waited on me before he could be
 prevented, and, conceiving a favourable opinion of him, I imme-
 diately sent a commission to him to take command of the Porpoise;
 but I was obliged to do it through Major Johnston, the present
 self-appointed Lieutenant Governor. However, Lieutenant Kent
 did not take command of the Porpoise till the 12th instant, and
 to my great surprize he sailed on the 18th for Port Dalrymple to
 fetch up Lieutenant-Colonel Paterson, and I have since heard
 nothing of him.

On the 27th committees were formed, and continued sitting
 several days, before whom all the magistrates and those who were
 considered as having been intimate at Government House were
 brought and examined concerning my administration and inten-
 tions.* Every wicked artifice as well as threats were used to force
 affirmative answers to all such questions as their diabolical minds
 could propose, and some of them were brought to such agitation
 from a fear of their lives that they knew not what they said or
 did, trembling under martial law and the tyranny which existed.
 The committees were composed of McArthur, Bayly, Blaxcell,
 Mr. Grimes, Captain Kemp, Lieutenant Minchin, Lieutenant
 Lawson, Lieutenant Draffin, Doctor Townson, and Mr. John
 Axland. On the following day Mr. Bayly, the self-created
 Lieutenant-Governor's Secretary, accompanied by Captain Abbott,
 Mr. Jamieson, the principal surgeon, and Mr. Garnham Blaxcell,
 came to Government House, and in a very Robesperian manner
 read and delivered a paper to me of which the following is a
 copy:—

“Sydney, 28th January, 1808.

I AM directed by his Honor the Lieutenant-Governor to
 acquaint you that the late magistrates (who it is proved you were
 the habit of consulting) have been examined on oath before

Bligh and
 the naval
 officers.

Examina-
 tion of
 magistrates
 and others.

Committees
 appointed.

Result of the
 examina-
 tions.

* See the examinations of these officers, ante, pp. 435 to 453.

1808

30 April.

committees constituted under the Lieutenant-Governor's authority; that from the confessions of the persons it appears that you have been acting upon a settled plan to subvert the laws, to terrify and influence the Courts of Justice, and to deprive every person who had the misfortune to be obnoxious to you, of their property, liberty, and lives. The Lieutenant-Governor, feeling that an offence of such magnitude must be productive of the most serious consequences, is impelled by sentiments of humanity to give you this early notice, that you may consider and seriously reflect on the measures which may be necessary for your justification.

Copies will
be supplied
to Bligh.

"His Honor has further directed me to assure you that as soon as the examinations are complete, you shall be furnished with a copy, and that if you think proper, all the evidences shall be re-examined in your presence, and be directed to answer any questions you like to propose to them.

"His Honor has also desired me to assure you that it will give him the greatest satisfaction to contribute by every means in his power to the alleviation of the distress of your present situation, and to the comfort and accommodation of you and your family."

NICHOLAS BAYLY,
Secretary."

Bligh denies
the
authority of
Johnston
and his
advisers.

This daring outrage of depriving me of my Government, where my person was sacred, and reading a notice of this nature, so diabolically false, roused my indignation, and I denied their authority in any proceeding not authorised by myself, as to my King and country only would I be answerable for any act of mine in this colony. At this time my papers, books, and private instructions, which were locked up on the evening of the 26th, were ordered to be examined, and with the Great Seal of the colony were taken away.

Books and
papers
seized.

My books, containing copies of letters to and from the Secretary of State, together with my private instructions, I objected to give up to the committee that were appointed. On this a written order was brought from Major Johnston commanding them to put his orders into execution. I therefore had nothing left but to seal the books and papers alluded to, and they took them with the others.

A new
Judge-
Advocate.

Macarthur
tried.

Magistrates
appointed.

Charles Grimes, the Surveyor-General, was about this time appointed Judge-Advocate, Criminal and Civil Courts were constituted, and also a Court of Vice-Admiralty. The first Criminal Court was for the trial of McArthur, by which he was acquitted of the charges that were to have been exhibited against him by Mr. Atkins, on which occasion some of the privates of the New South Wales Corps, led by their Serjeant-Major, Whittle, assembled as a mob, and in a chair on a stage carried him in triumph round the town of Sydney. Magistrates were appointed instead of those who had acted under me. These were, Captain Abbott, Captain

Kemp, Lieutenant Minchin, Lieutenant Lawson, Ensign Bell, and Mr. John Harris, Surgeon of the New South Wales Corps, Mr. Thomas Jamison, Principal Surgeon, Mr. Garnham Blaxcell, and Mr. John Blaxland, and some little time after McArthur was appointed a magistrate and Colonial Secretary; N. Bayly, Provost-Marshal in place of Mr. Gore, whom they have persecuted in a violent manner. At last he denied their authority and government altogether; and refusing to give bail they committed him to gaol, where he now remains in a cell, and Blaxcell, the licensed auctioneer, in the room of a Mr. Bevan, who had held the situation for a length of time by appointment from Governor King. Mr. Williamson superceded Mr. Palmer as Commissary, and Jamison, the Principal-Surgeon, was appointed Naval Officer in the place of Mr. Campbell.

1808

30 April.

Civil officers.

Many acts of injustice and irregularity have been committed in the Courts; even my letter-books, containing copies of my letters to the Secretary of State, were publicly read by McArthur and others, and my private instructions—that part respecting America—was read in the presence of American masters of ships during the time of the trial of one of them for smuggling. The copy of my despatch sent in October last* by the Duke of Portland, wherein I set it my duty to give a description of the colony and characters of certain persons, was communicated to all the officers, in order to excite them to hatred of my proceedings, and to show I was no friend to them.

Bligh's
letters and
instructions
made public.

Among the numerous alarming and terrific reports and orders that were given out every day, at a time when the soldiers and towns-people were filled with spirituous liquors, the bellman was ordered to cry publicly through the streets that a meeting would be held at the church at eight o'clock at night. At the hour appointed the church was crowded with soldiers and the disaffected party, with McArthur at their head, who made a speech on the happy change of affairs, and the advantage that all present would derive therefrom. He then expatiated on my administration, and called me and my magistrates bloodthirsty wretches and villains, who wished to drink his blood, and made use of other seditious expressions, which he closed with his observation: that although he had suffered much from it, yet he hoped no harm would happen to me or the magistrates.

A meeting at
the church.

Blaxcell, assisted by Bayly and Lord, proposed that a sword should be voted to Major Johnston, not under the value of one hundred guineas, for the wise and salutary measures which he had adopted to suppress the tyranny which ruled this country; that an address of thanks might be presented to the New South Wales Corps for their spirited and manly conduct on the 26th of January; and an address of thanks to John McArthur, Esquire, as having been chiefly instrumental in bringing about the happy change which took

A sword for
Johnston.

An address
to the Corps
and to
Macarthur.

* Ante, p. 349.

1808

30 April.

A delegate
for EnglandA service of
plate for the
officers'
mess.A split in the
party.Collins and
Paterson.Paterson
sent for to
take charge.Publicity of
Paterson's
appoint-
ment.

place on that day, and likewise that a delegate might be appointed to be sent to England, to which office McArthur was appointed, and a subscription was proposed and set on foot to defray his expenses.

John Blaxland proposed that a service of plate should be voted for the use of the mess of the officers of the New South Wales Corps for their spirited and patriotic conduct.

There were present at this meeting John McArthur, Garnham Blaxcell, Nicholas Bayly, John Blaxland, D'Arcy Wentworth, Lieutenant William Minchin, Simeon Lord, and other persons of their party.

On this assembly I shall just observe that the party is now divided and subdivided, and all of them have withdrawn their subscription, and McArthur refuses to go to England.*

These divisions have been attended with consequent effects. They have begun to reproach each other, trembling for fear of the event; some of the magistrates have given up their places; the Judge-Advocate (Grimes) gave up his, and they can now barely form a Bench.

It now appears that, under all their iniquities, their apprehensions are increased by the accounts they have received from Colonels Collins and Paterson, who have expressed their highest indignation at their proceedings, the latter of whom I learn has determined to come here.†

Their conduct they now wish and endeavour to palliate by asserting they never knew Colonel Paterson bore a commission as Lieutenant-Governor of the territory; that if they had they would not have gone so far as they had done; but that now, seeing their errors, they had come to a determination to await the Lieutenant-Colonel's arrival to judge of the propriety of the restraint they had put me under, and in what manner I am to proceed to England. This determination was announced to me by the following written message,‡ when they had been threatening to send me away in the Dart, and which I resisted.

It is only necessary to observe on the foregoing that Lieutenant-Colonel's appointment as Lieutenant-Governor of the territory has been thoroughly made known by public orders on that account and annually noted in the almanacks, by which no doubt can be entertained of their having known it and of their art of fabricating an untruth.

I returned no answer, or have I had any communication farther with them.

* Macarthur went Home with Johnston in the Admiral Gambier; he sailed on the 25th March, 1809 – not, however, as a delegate.

† See Collins's letter of 4th April, 1808, ante, p. 573. Paterson cautiously refused to express any opinion.

‡ See the letter from Bayly to Bligh (1st April, 1808, ante, p. 570) informing him that in consequence of the discovery of Paterson's Commission appointing him Lieutenant-Governor of the territory, it had been decided to send for Paterson to take charge, and pending his arrival to allow everything, in so far as Bligh was concerned, to remain in abeyance.

In this manner the case now stands, and I am anxiously looking for the event, an event of some moment, as the settlers are in a very enraged state of mind at the indignity I suffer through my arrest. Their want of arms has prevented much bloodshed, and the precaution of disarming them, which was adopted to prevent any bad consequence in the interior by the prisoners rising, whereby the military became of greater power, has by this means acted against us, and enabled them to act with greater confidence.

1808

30 April.

Settlers
favourable
to Bligh.

Among the acts of these rebels some things seem to have been carried on with peculiar art and design. They have deprived me, and continue to keep possession, of all my books and papers, so that I have nothing but my memory to assist me. The Commissary's papers are also in their possession, and by that means they have got a power of making any representations they please without any present means of having their falsehoods exposed. I have been led to this conclusion by a friend procuring me the copy of some affidavits which it is said are transmitted to your Lordship. The falsehood and meanness of these documents will appear from one specimen of an affidavit said to be made by one Fitz,* a Deputy Commissary, a creature of McArthur's and one of the rebellious party, wherein it is asserted that Governor Bligh received from the bonded stores one pipe of port wine for his own use, and that he (Governor Bligh) ordered a quantity of wine to be purchased from Mr. Campbell, at the rate of three pounds per dozen, for the use of the General Hospital, which wine was appropriated to his (Governor Bligh's) own use. The Commissary's accounts will show that before my arrival there had been a quantity of port wine sent out for barter, and which was distributed to the officers in pipes and cases. Governor King, expecting to be relieved, reserved one pipe for his successor in case of accidents, and on my arrival he directed it to be charged to my account, which the Commissary did. With respect to the wine purchased from Mr. Campbell by the Commissary, it took place long after my arrival, from a demand made by the surgeon of the hospital, and he received it from the Commissary, who took his receipt for it. This circumstance I have taken notice of, in order that your Lordship may be aware of the misrepresentation these people may make to you, sensible that your Lordship will oppose to them, on any reflections you make, your confidence in the honor and dignity of my character, whose conduct has, by justice and humanity, brought the colony to a very advanced state compared with what it has been before.

Seizure of
papers and
records.Examina-
tions of
officers.

The conduct of Major Johnston and his party will be found very reprehensible, from what I have heard, with respect to Government concerns. They have issued the stores wantonly and improperly to their private purposes; they have sold a large ten-oared boat which was kept for the Governor's use; they are

Maladminis-
tration of
Johnston
and his
adherents.

* The statement of Fitz is given in full, ante, p. 446.

1808

30 April

The Govern-
ment stockJohn
McArthur

giving away and disposing of Government cattle to their own party : they have renewed and given leases of several places in the town : they are employing in their private concerns artificers and labourers and Government cattle : they have let out the Government brew-house, factory, and Government garden at Parramatta ; and have turned off the store a number of decrepid and infirm people, besides the worst of convicts, who are now committing depredations on the public, and are the dread of every person ; and McArthur has dismissed Mr. John Jamieson, the Superintendent of Government Stock, on account of his having refused to remove the herds to Broken Bay, where there is scarcely anything but rocks and barren ground, in order that his own might have the entire range of Government ground in the neighbourhood of Parramatta.* Everything they think of is done to supply the want of public credit, and to impress an idea that the colony can be supported at less expense than hitherto. They have even sold from the store three pairs of mill-stones which were intended to be sent to the out-settlements, and McArthur has taken two pair of them to himself, as likewise thirty stand of arms, which there is no doubt were sent in the Parramatta to barter for pork in the South Sea, and their vessels have been fitted out with the canvass and sails of His Majesty's ships.

The Govern-
ment stockJohn
McArthur

How all these evils will end, and a restoration of peace take place in the colony, it is impossible for me to say until Colonel Paterson arrives : but it is my duty to represent that I think it absolutely necessary I should return Home to show what must be effected for its security.

I shall now beg leave to conclude this dispatch with requesting of your Lordship that the two of the rebels, Charles Grimes and Edward McArthur, who have gone Home in the Dart, and Lieutenant Mitchell, of the New South Wales Corps, with his servant Alexander Brown, who proceed in the ship I now write by, may be sent in order to be tried in due time.

I am enabled to mention that I have had no opportunity of communicating with the out-settlements ; but the ship Rose, Brooks command, which arrived on the 14th instant from England, touching at the Cape of Good Hope on her way hither, brought a secret letter from Lieutenant Colonel Collins, a copy of which I beg leave to enclose to your Lordship's information.

I have, &c.,

W^m BLIGH.

[Enclosure.]

A SETTLER'S AFFIDAVIT.

I, John Smith, a free settler at Raulkham Hills, being in Sydney on the 1st day of May, 1808, and seeing the greater part of the New South Wales Corps under arms with fixed bayonets, marching

* See Collins to Bligh, 14th April, 1808.

* See Collins to Bligh, 14th April, 1808.

The authenticity of this letter, see post, p. 637.

down from the Barracks, I hastened among others to know the cause, and was informed that they were going to arrest the Governor ; and on proceeding a short way with them, I distinctly heard Sergeant-Major Whittle make use of these expressions : “ Men, I hope you will do your duty, and don’t spare them.” The men replied, “ Never fear us.” And some person from the opposite side cried out, “ Hush ! hush ! ” I think it was John Macarthur, Esq’re. The Sergeant-Major Whittle also said, “ Children, go out of the way, for some of you I expect will be killed.”

1808

30 April.

GEO. SUTTOR.

GOVERNOR BLIGH TO SECRETARY POLE.

Government House, Sydney,

Sir, New South Wales, 30th April, 1808.

I have to acquaint you, for the information of my Lords Commissioners of the Admiralty, that since my last despatch to their Lordships by the Duke of Portland on the 30th of October* last, to the 26th of January, His Majesty’s ship Porpoise has been employed in the evacuation of Norfolk Island. Their Lordships will have been informed of my appointing Lieutenant John Putland to be Acting Commander of His Majesty’s ship Porpoise, who, until extreme ill-health from a decline, was a valuable assistant to me. He died on shore while the Porpoise was at sea under the charge of Acting Lieutenant James Symons, on the 4th of January. On the 26th of January the New South Wales Corps rose in rebellion against me and the civil power, and have deprived me of all authority, constituted others in our place, by the power of the Corps (above three hundred men) surrounding my house and putting me under an arrest. A few days after the Porpoise arrived, when in place of Acting Lieutenant James Symons forcing his way to me, he joined the rebel party, and Major Johnston, the Commandant, directed that all communication should be prevented between me and His Majesty’s ship, and Acting Lieutenant James Symons appointed himself commander of the Porpoise, and more strongly united himself with the rebels.

H.M.S.

Porpoise.

Arrest of
Bligh.

On the 29th March, the Lady Nelson, tender to the Porpoise, arrived from the same service she had been on, and Acting Lieutenant Kent waiting on me before any one knew of it, and he apparently knowing his duty as an officer, I appointed him as Acting Commander of the Porpoise, whereby Acting Lieutenant Symons became superceded, and by this means I thus far secured the possession of His Majesty’s ship ; but as further communications were interrupted, I can only say that the Porpoise sailed with Lieutenant Kent to Port Dalrymple, as I hear, to bring up Lieutenant-Colonel Paterson, Lieutenant-Governor of the territory,

Kent and
the
command of
the
Lady Nelson.

* This letter to the Secretary to the Admiralty contained no information in addition to the letter to Windham of 31st October, 1808 (ante, p. 349), and has therefore not been printed.

Lieutenant-Colonel Paterson may also be soon expected from Port Dalrymple, His Majesty's ship Porpoise having sailed from hence on the 19th instant for the purpose of bringing him from that settlement. 1808
30 April.

On the arrival of either of those officers I shall lay before him all the evidences of Governor Bligh's guilty conduct, and I hope some plan will then be adopted to facilitate his departure for England. Bligh to be
handed over
to them.

I feel great pleasure that it is in my power to repeat to your Lordship assurances of the general tranquil state of the colony, notwithstanding the active tho' secret endeavours of some discontented persons and incendiaries to disturb and alarm the ignorant and remote settlers. The tranquil
state of the
colony.

I had the honor to inform your Lordship, in my despatch of the 11th instant, that the two Mr. Blaxlands had displayed a disposition to be extremely troublesome, and the voluminous enclosures* that accompany this letter will, I hope, convince your Lordship that I have not preferred an unfounded accusation. The Blax-
lands.

The gentlemen were no sooner relieved from the terror they had felt, in consequence of the threats, violence, and oppression of Governor Bligh, than they became troublesomely importunate to divert my attention from the most urgent public business to the immediate consideration of their private affairs. Importu-
nous
settlers.

Desirous to conciliate all classes as far as might be consistent with the observance of my superior duties, and being also sensible that your Lordship's agreement with the Mr. Blaxlands had not been fulfilled by Governor Bligh, I took an early opportunity to learn the nature of their real claims, and having satisfied myself of their extent, I gave them a positive assurance of my intention to do them justice by a prompt obedience of your Lordship's and Mr. Windham's orders respecting their lands, cattle, and servants. Claims of the
Blaxlands.

Almost any other men under such encouraging circumstances would have been contented and grateful; but these gentlemen have become more restless and dissatisfied from indulgence, and their disregard of propriety of conduct seems to have increased in proportion as they have felt their just rights and privileges were no longer in danger of being violated. They are dis-
satisfied.

It would be an improper trespass upon your Lordship's time were I to trouble you with anything more than a general detail of their conduct.

When they considered themselves certain that their agreement would be literally fulfilled, they made a personal application to Mr. McArthur, Secretary to the Colony, to obtain my sanction of their forcibly turning the master of the ship Brothers on shore. On enquiry, it appeared that Mr. John Blaxland holds a share of Dispute be-
tween John
Blaxland
and the
master of
The
Brothers.

* These voluminous enclosures, consisting of memorials, petitions, and protests by Blaxland, on the one hand, and Captain Russell, of the ship Brothers, on the other, reports of police-court proceedings and correspondence (the gist of which is given by Johnston have been omitted in the interests of space.

1808

30 April.

one moiety of the vessel, and that Messrs. Hulletts Brothers & Co., of London, were the owners of the other part ; that the latter are also the ship's husbands, and possess, by virtue of their mutual agreement, the power of appointing a captain and officers to the ship. As the captain had made a most successful voyage, having procured nearly forty thousand seal-skins, with which he only waited for a small supply of provisions to return to England, Mr. McArthur earnestly advised Mr. Blaxland not to make an attempt that would detain the ship in port at a heavy expense, and certainly terminate in the disappointment of his expectations ; for, on an investigation of Mr. Blaxland's authority over the vessel, it appeared to be very circumscribed.

Macarthur
and
Blaxland.

Reasonable and disinterested as was this advice, Mr. Blaxland rejected it without regard to consequences ; and Mr. McArthur, because he declined to become an auxiliary in an act that he considered indefensible, was attacked by every species of calumny, and indirectly accused of endeavouring to frustrate Mr. Blaxland's wishes from interested motives.*

Blaxland
asks for an
investiga-
tion.

Under the influence of a most irritable temper, and stimulated by an inhabitant of the name of Lord, who appears to have formed a kind of partnership with the Mr. Blaxlands, the elder brother sent me a memorial, requesting an investigation of the conduct of the master of the Brothers on certain charges that were annexed ; but being desired to lay before me the authority upon which he founded his claim to such an investigation, he at first evaded the request, and at last intreated to be excused from unfolding his private concerns.

and com-
plains to
magistrates.

Mr. Blaxland then laid a copy of the memorial and charges he had sent to me before a Bench of Magistrates, who appear to have examined his complaint, and all the evidence he thought proper to produce, with great patience and attention, and to have dismissed his charges as insufficient to justify any further proceedings against the master of the Brothers.

The master
of The
Brothers

Not satisfied with this decision, Mr. Blaxland next transmitted me a copy of the proceedings of the magistrates, with a petition that I would give him authority to turn the master out of the ship ; and because I declined to comply, I and Mr. McArthur have been threatened with protests and prosecutions, and Mr. McArthur, whose advice it has been supposed I have followed, with assassination.

assaulted
on board his
vessel.

These threats have been considered by myself and Mr. McArthur as undeserving notice, and the Mr. Blaxlands and Mr. Lord finding I was not to be provoked by their improper conduct, at last thought it advisable to go on board the ship Brothers, and to commit an assault on the master.

* Blaxland alleged that Macarthur was interested conjointly with the house of Hulletts Brothers & Co. in other speculations of a nature similar to that on which the ship Brothers had been engaged, and insinuated that his interest was calculated to prejudice Macarthur against him (Blaxland). The brig Parramatta, of which it was alleged Macarthur was owner, or part owner, appears in the Shipping Lists as belonging to Hulletts Brothers.

When the master made his complaint to me, I directed him to the magistrates, and they very properly referred the accusation to be decided upon by a Court of Criminal Jurisdiction. The Court being assembled, the trial commenced, and in the midst of the proceedings the majority, without indictment, trial, or the observance of any principle but a most ungovernable prejudice, sentenced the prosecutor and his chief mate (who was an evidence) to seven years' transportation for perjury, and, at the same time that they found them guilty of so abominable an offence, recommended them to mercy. Mr. Blaxland, junior, was found guilty of the assault, and fined five pounds. The elder Mr. Blaxland and his partner, Mr. Lord, were acquitted.

1808

30 April.

The affair before the Criminal Court.

Peculiar findings of Court.

The master, Mr. Russell, was considered, after the sentence of transportation, as dispossessed of the command of his ship, and Mr. Blaxland, having accomplished the object for which he had so long contended, directed another person to go on board as captain.

When the results of this trial were reported to me, and I examined the minutes, and heard of the extraordinary manner in which the trial had been conducted, I directed Mr. Grimes, the Acting Judge-Advocate, to point out the particular evidence on which the conviction of perjury had been founded, and to state the reasons of the Court for recommending the offenders to mercy.

Johnston inquires into the case.

Mr. Grimes returned an evasive answer to the first part, and sheltered himself under an excuse that he did not consider himself obliged to divulge the private opinions of the majority of the members. But, my Lord, I am running imperceptibly into a detail that would be almost endless, and into conclusions many of which are, from the nature of the subject, unavoidably conjectural. I will, therefore, beg to refer your Lordship to the official papers it has occasioned, and I respectfully hope, when the whole are considered, my relieving* the unfortunate Mr. Russel and his mate from the consequences of a sentence they certainly did not deserve, will be approved. Had Mr. Russel been tried a second time, I know not what might have resulted, for there are abundance of evidences to be found here who will swear anything; and I am concerned to report to your Lordship that there are a few persons in the colony who are more influenced by Mr. Lord and his associates than by a regard to justice, or by a desire to support me in the detection and punishment of frauds or other crimes.

Russell and his mate liberated by Johnston.

The condition on which Mr. Russell returns to England is that he shall abide by your Lordship's orders or forfeit two thousand pounds. Mr. Russell is a plain, uneducated seaman; but if your Lordship should be pleased to examine him, I think he will be capable of explaining Mr. Blaxland's motives for desiring to turn him out of his ship.

Captain Russell.

The trial and proceedings against Mr. Russell, unimportant as they must appear to your Lordship, have been made the vehicle

Discontent amongst officers.

* See Johnston's Order of 3rd April, 1808, ante, p. 573.

- 1808
30 April.
- Surgeon
Harris
- Johnston
sounds the
officers.
- Minchin sent
Home with
despatches.
- A Judge-
Advocate
wanted.
- Duplicates.
- Triplicates
to be sent.
- of much mischief, and have been used as a mask under which a few officers have displayed a vexatious opposition to my government. As I saw no means of relief in the present circumstances of the colony but by sending the most active away, I ordered Mr. Grimes to take my despatches in the Dart, and directed Mr. Harris, Surgeon of the New South Wales Corps, to hold himself in readiness to proceed in the Brothers. My correspondence with the latter officer will in part explain to your Lordship the spirit that has prevailed, and I lament that a severe illness which now confines Mr. Harris to his bed prevents his taking his passage in the Brothers, and will for a time deprive your Lordship of that information which he states is never likely to be known but from himself.* As I was unsuccessful in my endeavours to prevail upon Mr. Harris to explain this secret, and could not but see that some discontent still prevailed, I wrote to all the officers of the colony in the way I thought most likely to draw forth the desired information: but in this attempt I was also entirely disappointed by their answer.†
- Mr. Harris being incapable of taking Home my despatches, I have selected Lieut. Minchin for that service, as an officer who is well acquainted with the violence, oppression, and tyranny of Gov'r Bligh, and from his perfect knowledge of the present state of the colony, altogether as well qualified as Mr. Harris to give your Lordship any information that may be required.
- The most serious difficulty I have now to surmount is the want of an officer to act as Judge-Advocate, and as it is of great importance to the welfare and peace of the settlement that the office should be filled by a person of talents and integrity, I shall, if it be possible, forbear from appointing anyone until the arrival of Lieut.-Colonel Foveaux, who, it is to be hoped, may bring an officer of that description, to whom a temporary appointment might not be unacceptable.
- It has been a subject of serious regret that I have not been able, by every exertion, to get the papers copied which are referred to in my duplicate despatch A†; but I hope the safe arrival of the originals will make them unnecessary.
- I propose to forward complete triplicates by the Rose, a private ship, that I am informed sails for England in a month, and by that conveyance I shall transmit returns of the state of this and the other settlements.
- I have, &c., GEO. JOHNSTON.

* On 4th April, 1808, Bayly wrote to Harris, informing him that Johnston had made choice of him to sail in The Brothers with his despatches, satisfied that "no person can be more competent to give such explanation" (to the British Government) "than one of those who have called upon him to assume the command and pledged their lives and fortunes to support the measure." Harris replied, that as the service required it, he was ready to embark at any time, adding in a mysterious manner, "and I trust I shall be able to explain to His Majesty's Ministers many things which otherwise might never have reached them." Johnston immediately called upon Harris to explain the "obscure observation," but the only satisfaction he could extract was the observation, "It is very probable I may be in possession of many transactions which may not have come to your knowledge, and if I am I shall consider it my duty to inform His Majesty's Ministers thereof."

† See Johnston's letter to the officers, and their reply, ante, pp. 600, 601, and 602.

‡ That is the despatch of 11th April, 1808, ante, p. 575.

SETTLERS' ADDRESS TO LIEUTENANT-COLONEL PATERSON.

1808

To His Honor William Paterson, Esquire, His Majesty's Lieutenant-Governor, &c., &c.,—

Sir,

Hawkesbury, 1st May, 1808.

1 May.

Permit us to express ourselves with the freedom of British subjects, who are deeply interested in the future prosperity of this colony. We have embarked our all, and look forward to improvement, that our children may reap the benefit of our industry. With pleasure we saw the colony reviving from the most melancholy calamity, the streams of justice purified, crimes of the deepest dye prevented, discipline established, a system of monopoly and extortion in some measure suppressed, that had been long and severely felt by us and our families, nearly to the deprivation of every comfort. As our hopes were beginning to revive, and prospects heighten, we were suddenly alarmed, on the 26th day of January last, at His Excellency Governor Bligh being arrested and confined a close prisoner in his own house; the Judge-Advocate, Provost-Martial, and other public officers appointed by the King, and holding his commission, arrested or removed; and every legal magistrate in the colony struck out of the Commission of the Peace, and others appointed; a body of men heated with wine going from house to house, threatening and menacing His Majesty's loyal subjects with imprisonment, to be sent out of the colony, and deprived of all indulgencies from Government, and that they would be marked men who refused to sign a treasonable and seditious paper to sanction what had been done on that day. We are alarmed at the informations of the most worthless and abandoned prisoners for life being taken on oath to accuse their masters, and that in the absence of the accused; the masters taken from their families on such information, and told that they need not apply for protection, for they shall have none. We disavow and protest against the above measures, as the highest insult to the King, in the person of his representative, Governor Bligh; the highest outrage and contempt to the British Government and the laws, highly injurious to the honor of the British nation in this colony, and to all regular government, subordination, and discipline so necessary in this colony. Placing the most implicit confidence in your loyalty to the King, your honour and experience as an officer, your virtue and impartial justice as a private gentleman, we rejoice at your arrival* at this momentous and alarming crisis. It is to you we look with hope for deliverance from the oppression, alarm, and terror we have laboured under for some months past; and we pledge ourselves to give you every support and information in our power to enable you to re-establish His Majesty's Government in

Promising prospects.

The arrest of Bligh.

The address to Johnston.

Settlers appeal to Paterson.

* This address was evidently prepared at the Hawkesbury and sent down to Sydney under the impression that Paterson would arrive in the vessel (H.M.S. Porpoise) which Johnston had sent in April, 1808, to convey him to Sydney.

1808

1 May.

the person of his representative, Governor Bligh, whom we have reason to adore for that protection and justice we have experienced under his firm and steady government, the want of which has been highly injurious to us and our families when he arrived as Governor in this colony. And we most earnestly pray that you will place us again under the protection of the King and the law. Permit us to subscribe ourselves, sir, &c.,

| | |
|----------------|------------------|
| MARTIN MASON. | JAMES DAVIDSON. |
| RICH'D ROUSE. | ANDREW JOHNSTON. |
| JOHN BOWMAN. | JOHN HOWE. |
| J. W. LEWIN. | JOHN JOHNSTON. |
| DAVID LANGLEY. | JAMES MEIN. |
| CALEB WILSON. | JOHN TURNBULL. |

MESSRS. SUTTOR AND McDUGALL TO ROB'T CAMPBELL

6 May.

Sir,

Baulkham Hills, 6th May, 1808.

An address
to Paterson.

We have sent down the inclosed address, which is expressive of our sentiments, and, if approved, we beg of you to present, or, if you think better, we will come down for that purpose. In that case shall request the favor of the earliest intelligence of the Colonel's arrival.*

We are, &c.,

GEO. SUTTOR,
AND'W McDUGALL

[Enclosure.]

To His Honor Lieutenant-Governor Paterson,—

Welcome to
Paterson.

Permit us, sir, to congratulate you on your safe arrival at Headquarters. It is with the most heartfelt satisfaction that the people of this colony hear the pleasing intelligence; for to you they look up for the re-establishment of that law and order which the most extraordinary and violent interposition has so recently deprived them of, and substituted in its room anarchy, confusion, and the most unjustifiable oppression.

Offers of
assistance.

We, therefore, deem it the duty of every honest and well-meaning man, to step forward and make known his real sentiments at the present crisis. And we pledge ourselves to be ready to give you every information and support in our power in order that full satisfaction and justice may be given to the Governor (whom we highly revere) and Government of our most gracious Sovereign in this colony, for the gross insult and injury done them, in the person of His Excellency Governor Bligh, to whom we are most zealously attached.

Therefore, sir, from your known loyalty to His Majesty's person and Government, we cannot but feel the most confident reliance

*Paterson did not arrive at Sydney until January, 1809. It is not certain whether the address was presented to him then; but as it indicates the feeling of some, at all events, of the inland settlers at the time, it is printed amongst the records of the year in which it was written. See also the address of 18th April, 1808, ante, p. 596.

hat you will take prompt and effectual means to secure the
rincipals in this most unjustifiable transaction. In so doing you
ill have, not only the good will, but the highest esteem of every
nbiassed and deserving character in this colony, joined with the
st applause and support of the British Empire.

1808
6 May.

We have, &c.,

GEO. SUTOR.

AND'W MCDUGALL.

JOHN SMITH.

JOHN HILLAS.

THOS. HARDY.

WILL'M HANCEY.

MICH'L HANCEY.

LIEUTENANT LAWSON* TO GOVERNOR BLIGH.
(Colonial Secretary's Papers.)

Sir,

10th May, 1808.

10 May.

I am ordered by His Honor the Lieutenant-Governor to acquaint you, in answer to the application made by Mr. Griffin, that as Lieut.-Colonel Paterson and Lieut.-Colonel Foveaux are daily expected to arrive, the Lieut.-Governor considers it proper to defer coming to a determination respecting the return of any papers belonging to you that are now in his possession.

I have, &c.,

W'M LAWSON.

COLONEL PATERSON TO LIEUTENANT-COLONEL JOHNSTON.†
Port Dalrymple, Van Dieman's Land,

Sir,

14th May, 1808.

14 May.

In acknowledging the receipt of your despatch of the 18th ult. by His Majesty's ship Porpoise with a small supply of provisions and stores, I have to express my satisfaction at your attention to my desire, and regret that I was not in possession earlier of the reasons that actuated you in forwarding me, in January last, your information of the important change in the Government at Port Jackson by such a conveyance as rendered my passage by its return impossible, stating at the same time my reasons in making any reference to a private channel to procure such conveyance, arose from the apprehension of a possibility that in so extraordinary a crisis other employments might have taken place for the Government vessels, that the Porpoise might be on her passage to England, or that other changes equally unexpected and equally affecting my peculiar situation might have ensued.

Paterson on
the arrest of
Bligh.

must, however, at the same time also add that it did appear to me somewhat wanting of explanation why, at a moment of such serious suspension of the supreme power, and from such causes as have actuated it, it did not immediately occur to require the presence and the assistance in so unprecedented a juncture, of the

He com-
plains of
Johnston's
delay in
sending for
him.

* Lieutenant Lawson was Aid-de-Camp to Major Johnston.

† On 7th May Paterson and Johnston were promoted to the rank of Colonel and Lieutenant-Colonel respectively.

‡ Ante, p 595.

1808

14 May.

officer who by such suspension unquestionably from two evident reasons became the chief in command* : and altho' I am persuaded your experience in the service, your regard for the real interests of the territory, and your judgment in the steps consequent on the necessity of their support at so alarming a period, could not have been exceeded by any efforts of mine, yet it did, and does yet, appear to me, that no option was left to either of us, that you, only temporarily holding the command until I could take it, did not depend on our individual choice, but that it followed and became evident from the very nature of the circumstances itself.

Paterson's
acceptance
of command
at Port
Dalrymple
not a cancel-
lation of his
office as
Lieutenant-
Governor.

His rights in
case of a
vacancy.

Foveaux's
anticipated
arrival.

I am, however, gratified, from the explanation of your last, at seeing the belief I had entertained confirmed, that the conduct you have pursued in the instance in question has arisen from opinion of its propriety, although I may differ on the basis of such opinion, and for which difference I shall state my reasons, which are briefly that I have always believed, when required by His Majesty's Ministers to leave the headquarters of the Government, it was in the capacity of the Lieutenant-Governor of the territory to act from the experience it might be supposed I had acquired in the temporary direction of an experiment of which success was doubtful, and my orders from the late Governor King on the occasion are expressly addressed to me as such "Lieut.-Governor of the territory"; but I have never conceived that my having been pointed out to be employed for the time-being on an extra and arduous duty, because my offices during the presence of the Governor could be dispensed with at headquarters, could in any manner imply a supercession of my priority of command in the case of his death or absence from his government; nor have I ever judged it either the intention of His Majesty that it has been so expressed by His Minister, or that it is in any point of view possible or consistent with the King's service, that I should be placed under the controul of a junior officer. On the contrary, it has always appeared to me that the same reasons which induced my being fixed on to fulfil His Majesty's intentions at Port Dalrymple must operate absolutely in the necessity of my taking the command of the mother settlement in any accidental case of interregnum in its regular government until an officer appointed to the duty by the Crown should arrive, after the Ministers have received information of the interreign.

Your intimation of the nomination of a successor to me as the Lieutenant-Governor, that such nomination also supersedes my duty to take the command agreeable to the words of the patent

* Paterson's complaint appears reasonable. Johnston could hardly have been ignorant of the fact that Paterson held the office of Lieutenant-Governor, although he might not have known that he did so under a commission. In the *New South Wales Almanac* for 1808, which must have been in the hands of the officers and principal inhabitants, Paterson's name appeared (after that of the Governor) as Lieutenant-Governor of the territory and next in command to Bligh.

"as the officer highest in rank," and the statement that my successor was daily expected, has determined me, however, to wait the event of the precise nature of his commission being so speedily made known, as my state of health renders the probability of my having early to return to this settlement at the present season of serious consideration ; for however I am convinced it cannot have been foreseen at Home that it was likely any appointment given to Lieutenant-Colonel Foveaux should place him in the command of his senior officer, yet, should there at the same time arrive a separate commission ordering me to remain in the direction of this small settlement I shall feel it necessary to cheerfully obey it, hoping that a representation of my most singular situation may immediately effect a change favourable to my years and length of service.

1808

14 May.

The situation from Paterson's standpoint.

I have therefore stated my intention to Captain Kent of not embracing the opportunity of the Porpoise being at present in the harbour, but that I shall wait until I have such further information as may correctly guide my conduct ; and I have to request that you will (should you be still in the command), by the earliest possible opportunity, place me in possession of the first intelligence you may receive from England, that at this important moment no time may be lost in my concluding on a subject so materially affecting us both, and the territory at large.

Paterson awaits developments.

I am fully aware of the very arduous and constant occupation that must have devolved upon you, and that you can yet have had but time to complete your several dispatches to England ; but, trusting the cause of my not having yet received them may have in some measure subsided, I beg also to request you will favour me with the copies of the papers you mention, not doubting but you must apprehend my anxiety to be acquainted with the whole of the particulars involved in the deposition of the late Governor.

He asks for further information.

I have, &c.,

W'M PATERSON.

REV. HENRY FULTON TO GOVERNOR BLIGH. (Bligh Papers.)

May it please Your Excellency, Sydney, 18th May, 1808.

18 May.

With great indignation I read a message* said to be delivered to your Excellency by Mr. Bayly from His Honor Lieutenant-Governor Johnston on the morning of the 28th day of January last in presence of Captain Edward Abbot, Thomas Jamison, Esq'r, the Principal Surgeon, and Mr. Garnham Blaxcell, who together with him composed a committee appointed to wait on you for that purpose, charging you with acting upon a settled plan to subvert the laws, to terrify and influence the Courts of Justice, and to deprive every person who had the misfortune to be obnoxious to you of their property, liberty, and lives. I know, and in frequent conversations with you heard you say, that you wished to govern by the laws of England as near as might

Fulton's comments on the charges against Bligh.

* Ante, p. 455

1808

18 May.

The
impartial
administra-
tion of
justice.

Judge-
Advocate
Atkins.

Bligh's
utterances
concerning
the Courts
of Justice.

Fulton's
explanation
of the
rebellion.

be ; and in cases where those laws were not applicable to the state of this colony, to make such local Regulations as upon the most mature consideration appeared most conducive to the support of impartial justice.

I heard you say that you considered it your duty to see that justice should be impartially administered, and I found you always ready to approve of those who did so, and to show your disapprobation of the contrary ; and I am sure you never intended to subvert any law except the iniquitous custom of bartering spirits, and a species of Colonial currency which time and covetousness had made so sacred and amiable to a particular description of men in this colony.

As to the terrifying and influencing the Courts of Justice, I have known no instance, and I am certain none existed, unless that disapprobation which you showed to the delay of justice, and to other palpable instances of partiality which appeared in Mr. Atkins's conduct, may be called by that name. He was in the power of some, or had favourites, and he appeared to me to think it hard that he should be opposed in his partiality to them, and to this practice you sometimes discovered your indignation, as I myself have done.

I have frequently heard you say that you would not interfere in the Courts of Justice, and every complaint and application to you you referred to the magistrates and the Courts ; but you would not permit the Courts to be constituted in a manner which the Patent would not allow, nor suffer customs to be introduced into them which it would not warrant. Your Excellency would not suffer men to be above all law, civil and criminal, merely because they had large properties, or to trample on the magistrates and their fellow-men who happened to be in lower circumstances than they were. You would not suffer them to infringe the rights of your Sovereign and of the English nation ; therefore these circumstances excited their rage, and made them say that your government was insupportable. On the account of these circumstances they deprived you of your power and Government. The officers of the New South Wales Corps and their adherents had the greatest part of the wealth of the colony, and therefore it was their interest to oppose you in all the measures which I have related, and to take the government into their own hands, that they might have enormous quantities of spirits for barter and import China goods at will to the great injury of the India Company.

But they had not foresight enough to see the evils consequent on such an act, and therefore now they would withdraw with eagerness from their present condition if they could with safety. They repent because they are embarrassed on every side. They imagined that crimes of the highest kind might be committed by them with impunity ; and when they found your Excellency determined to make the rich as well as poor subject to the laws of their country, they termed it a settled plan to deprive them of

property, liberty, and lives. But there is no doubt but His Majesty's Ministers in particular, and your Excellency's country in general, will observe the benefits which you have already conferred on the colony in your short administration, and see the motives by which your enemies have been actuated, and know the greatness of their crimes.

I have, &c.,

HENRY FULTON.

N.B.—I have been a member of the Civil Court above twelve months during your Excellency's administration.

EX-GOVERNOR KING TO VISCOUNT CASTLEREAGH.

My Lord, 41, Upper Norton-street, 23rd May, 1808.

23 May.

Under the respectful hope that this intrusion may meet an apology from the necessity of my using my efforts for the support of my family (which has been delayed by my late severe illness), I have thus taken the liberty of respectfully submitting the prayer of the enclosed memorial to your Lordship's consideration.

As your Lordship has so full an idea of what has fallen to my lot to execute during my administration of these colonies from 1787 to 1807, I have not intruded any detail on your Lordship's more important occupation; but encouraged to entertain the humble hope that the conduct which procured me His Majesty's most gracious and entire approbation, as communicated to me by your Lordship's liberal and kind letter of the 20th Nov'r, 1805, when I was relieved in the Government of New South Wales, leads me thus respectfully to solicit your Lordship's benevolent consideration of this, my humble request, and on which my future existence so materially depends.

At the same time I beg to assure your Lordship that should my humble services be ever deemed necessary, it will be equally my duty and inclination to render any service, either in or out of the line of my profession, that my health will admit of.

I have, &c.,

PHILIP GIDLEY KING.

[Enclosure.]*

EX-GOVERNOR KING TO VISCOUNT CASTLEREAGH.

To the Right Honorable Viscount Castlereagh, His Majesty's Principal Secretary of State for the Colonies and War Department.

King's memorial.

The humble memorial of Philip Gidley King, a captain in the Royal Navy, and late Governor and Commander-in-Chief of His Majesty's territory of New South Wales and its dependancies,—

Most respectfully sheweth :—

That memorialist has served His Majesty by sea and land near forty years, viz, twenty in the Navy, and nineteen years in forming the settlements in Norfolk Island, where he commanded

King's period of service.

* A copy of this memorial was forwarded by Mrs. King to Viscount Castlereagh after her husband's death—post, p. 781.

Approval of
Ministers.

King's
salary.

His slender
savings.

has been obliged from time to time to assume in
duties which his distant situation from His Majesty
rendered necessary, and particularly so when his
government under the most untoward and unpopu-
lar and hopes not to be considered presuming in enter-
ing that his efforts in the situations he has had the
honour of administering those governments may have been
in His Majesty's service, the public welfare and econo-
my trusts the most ample proofs exist, exclusive of the
liberal approbation he has at different times been
granted from His Grace the Duke of Portland, Lord H.
Camden, when respectively charged with the Colo-
nial Commission, and more particularly from the commu-
nity honored with by your Lordship's letter to him, dat-
ed 10th December, 1805,* on his being relieved in the Govern-
ment.

Memorialist takes the liberty of respectfully stating
that since his successor assumed the government on his arrival
in the Colonies, memorialist's entire salary ceased
which occasioned a great expence during his subsis-
tence in New South Wales, and bringing his family to Eng-
land. His predecessors retained half their appointments
of their resignation in England, when His Majesty
pleased to bestow the provision they now enjoy.

Memorialist therefore respectfully presumes
to request your Lordship's consideration of the time he has served
in an arduous and a situation, and his conduct in all
situations he had the honor to hold, joined to the
loss of health, which precludes him from the
being able to serve on the active line of his profes-
sion, and a wife and six children to maintain out of the
thousand pounds, which with difficulty he has saved.

JOHN MACARTHUR TO CAPTAIN PIPER. (Norton Papers.)

1808

Dear Piper,

Sydney, 24th May, 1808.

24 May.

As things have turned out, I am very glad the letters sent by the *Commerce** never reached you, for, if they had, you must have been very uneasy at the long delay of the *City of Edinburgh*, as you were told in those letters that she was to be sent to you immediately. Previous letters.

I hope the letters by the *Estramina* will have caused you to prepare everything to expedite the *City of Edinburgh*'s departure, which, on many accounts, I hope you will hasten as much as possible.

You will observe that the appointment of an agent is, in fact, left to yourself. I could have wished to have named Broughton, but I was fearful it might prove prejudicial to his private affairs. If, however, he can go, I think it would be politick that he should, for Foveaux is expected every day, and, I have no doubt, has the appointment of Lieut.-Gov'r of the territory—in which case he would certainly do something better for Broughton than sending him to Port Dalrymple. Paterson is also expected from that settlement, in consequence of his having claimed the government of the colony. If Foveaux arrives safe there will be a pretty scenery here. One Governor in arrest, and two rival Lieut.-Governors laying claim to the command. A Government agent.
Paterson and Foveaux expected.

I am sorry to report to you that some of your old acquaintance have behaved most scurvily—Abbott amongst the worst.† Minchin sent Home with the despatches—not from any confidence placed in him; Grimes on the same errand—only for telling a few lies, &c.; Bayly, for whom every proper thing has been done, is become a violent oppositionist—the assigned reason, some information he received from Grimes of my finding fault with him; but the real one, because I would not advise Johnston to make Laycock a magistrate and police officer, with some other like disappointments respecting cows, &c.; in short, I am of opinion that, had they been given way to, the whole of the publick property would not have satisfied them. The result is that, although Bayly is Provost-Marshal and Private Secretary, he throws every obstacle in the way of the public business, and such a burden is thrown upon me that I have not a moment to devote to my affairs or my friends. Defection of certain officers.

I have no doubt you will be brought from Norfolk Island with the remainder of your establishment immediately; therefore, be prepared. Piper to leave Norfolk Island.

I should have sent you a supply of tea and sugar, but I understand it is done by Lord.

* The *Commerce*, on her arrival at Sydney on 9th October, 1805, was condemned as unseaworthy. Extensive repairs were made, and she finally sailed for China, *via* Fiji, on 26th September, 1808.

† See Abbott's letter to King of 13th February, 1808, printed in the appendix to this volume. He appears to have carefully refrained from identifying himself too closely with Johnston's party, although his name appears at the head of the address from the officers and a number of inhabitants (*ante*, p. 454) asking Johnston to extract an undertaking from the officer who might relieve him, to endorse and give effect to his action in assuming the Government.

1808

24 May.

The seizure
of the
Harrington.

Macarthur's
family.

You will be astonished at the capture of the Harrington,* the particulars of which you will learn from Mr. Barry, supercargo of the City of Edinburgh, an intelligent man, but a little bit too much leaked (*sic*) in with Lord, who also has made himself as troublesome as possible. In short, if I exempt Kemp, Lawson, and Draffin, there is not a man that affords Johnston the least support, and most of them oppose everything, although the whole called upon him to assume the government, and pledged their words of honor to support him. Pretty pledge, you will say. Harris has also been ordered to take a despatch Home, but he very conveniently fell sick.

In speaking of sickness, I have the unhappiness to say my poor Elizabeth still continues in a most melancholy state, with little or no chance of recovery; and Mrs. McArthur is by no means well. She, however, desires to be most kindly remembered to you.

Need I say I write in haste and confusion? Yours, &c.,
JOHN MCARTHUR.

PROVOST-MARSHAL GORE TO GOVERNOR BLIGH (Bligh Papers.)

Sir, Cells, Sydney Jail, the 24th of May, 1808.

Gore on the
charges
against
Bligh,

Without feeling any sentiments of surprise or emotion, I have perused a copy of the charges preferred against you†; because during a period of seventeen months that, unhappily, I had the misfortune of being acquainted with the authors of them, I had noticed them to be capable of anything false and dishonorable, and it was natural enough for persons committing the atrocious crimes of treason and mutiny to recur to some such subterfuge in their vindications.

and on the
policy of the
usurpers.

Distant as the seat of empire is, they expect, and they are convinced, that they will be called to a severe account for their conduct and motives. They are, of course, desirous to avert or to palliate the punishment their enormities merit, and which they anticipate, for having subverted His Majesty's Government in this country, usurped the administration thereof, and degraded the representative of our revered Sovereign, by the ignominious confinement and restraint of his person, and by the most contumelious and intollerable indignities and menaces offered to the high and elevated rank in which he was placed.

Bligh's
anxiety
to conform
to British
law.

To those gentlemen who were honored with your confidence, and who necessarily in the discharge of their respective official duties had frequent access to you, it is known what an anxious solicitude has at all times been evinced by your Excellency that a constant and uniform adherence to the laws of England should be observed—that they should be administered regularly and impartially—and dispensed equitably. But to them, sir, it is likewise known

* This vessel was seized by convicts at Sydney. A full account of the seizure will be found in the *Sydney Gazette* of 22nd May, 1808. The *Calcutta Gazette* of 23rd March, 1809, reports the capture of the Harrington and her runaway crew, numbering about twenty, by a man-of-war off the coast of Luconia.

† See Bayly's letter of 28th January, 1808, ante, p. 455.

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how corrupt, how venal, how profligate you found the very seat of justice; how tedious and difficult of attainment by the poor, the honest, and the oppressed man, and how partially protracted immediately acquired were her decrees by the rich and litigious. es, sir, I have known, and I have been a witness of the manly struggle between your duty and humanity, when, in the anguish of your heart, you deplored the existence of such serious abuses, and lamented that your determination to correct and to abolish them must inevitably involve the honor, the integrity, and the future comfort of an individual.

1808

24 May.

Correction of abuses.

your heart, you deplored the existence of such serious abuses, and lamented that your determination to correct and to abolish them must inevitably involve the honor, the integrity, and the future comfort of an individual.

I, too, sir, have seen you endeavour to deter and to influence at the Courts of Justice, but the unjust judge of a Court of injustice. I have seen you, sir, endeavour to recall justice to her seat, and to influence a venal and a besotted judge to the discontinuance of his irregularities and malpractices, in the soothing language of encouragement, and by the bitter expressions of irritation and despair of his amendment.

Bligh upbraids Atkins.

I have seen you, sir, when moderately and progressively checking the most palpable excesses—when restoring to the exercise of their rights, and to the enjoyments of the fruits of their labour, the industrious settler and mechanic, two descriptions of man whose pursuits and avocations are most conducive to the advantage of an infant colony—and when extending the benefits of the laws of England generally to the people over whom you presided, with so much satisfaction to them, and honor to yourself, patiently divested of your power, and the sacred dignity of the exalted character and station you sustained, degraded, dragged, and torn from your hands and trampled under foot.

Bligh, in the midst of reforms,

divested of power.

Life, liberty, and property, equally and mutually respected during your administration, were no longer insecure whilst the laws were administered under the superintending management of an even-handed justice; they were alike remote from the invasion of arrogated power, and from the chilling controul of wanton caprice.

Abuses of authority.

But, sir, whilst you are compelled to look on, a silent and patient spectator, what a melancholy reverse do you now behold? Error is the order of the day, and not only the forms, and the semblance, but even the very existence of justice, and of her courts, have been annihilated. Liberty, now a name, is a chimera dependent on the whim of an hydra administration, self erected, and created on the ruins of legitimate government. Property transferred, not at the discretion of the owner, but at the capricious will of our present tyrannical dictators; and the fear of positive and certain punishments, by the loss of their own estates, alone prevent them from attempting ours.

Derangement of public affairs.

Believe them not, sir, when they tell you that your measures Governor Bligh were obnoxious to them. No, sir, McArthur and his minions, indignant and provoked at the prospect of a

Macarthur the prime mover.

1808

24 May.

diminution of their consequence and emoluments arising from the possession and exercise of unrestrained authority, and from a perversion of the laws of England, which your salutary and wise administration was calculated to produce, and to put a final stop to, would have sought an opportunity and a pretext for overturning any of His Majesty's Governors who, like your Excellency, would have repressed their atrocities, by not acquiescing in their illegal and monstrous proceedings.

Bligh will be
judged in
England,

Let it be to you, sir, a consoling reflection that your publick conduct, superior to the pitiful efforts of a rebellious faction, is not to be submitted to the prejudicial tribunal of their sordid arbitration, but is to be estimated by a monarch who is already acquainted with the principles of honor, justice, and independence which have actuated your conduct through many years of toil, of peril, and of hazardous enterprise in his and in your country's service. Your gracious King, sir, is to appreciate your deserts, and to decide whether his honorable representative and virtuous servant, or the traiterous conspirators against his crown and person, are most deserving of his royal protection and regard. Thus, sir, notwithstanding the insults which have been lavished on you by the most worthless of mankind, and the cruel and degrading confinement of your person within your Government, your great and beneficent master holds out to you, ultimately, the well-earned boon of his august approbation and favour. Conscious of the integrity of your intentions, and the honest zeal with which you have fulfilled the duties of the high trust reposed in your Excellency, you can, therefore, now return with undiminished repute to your beloved family, and to your greatful country.

and will be
viudicated.

The charges
declared
false.

Hearing that the rebels had transmitted charges against your Excellency, I was curious to see them, and it gives me sincere pleasure to perceive that they have been obliged to resort to false and unfounded assertions in justification of the unprecedented treason they have perpetrated. Permit me also, sir, to hope that it will not be one of your least gratifications, under the heavy pressure of accumulated (*sic*), to receive this humble tribute of disinterested and unfeigned respect from an officer who, whilst he languishes in prison, a devoted victim to party rancour and malevolence, wished for the earliest opportunity of refuting, from his personal knowledge, the false and illiberal calumnies of your enemys, and of expressing his admiration of the firmness and magnanimity with which, he is informed, you support the usual dignity of your Excellency's character in the midst of the severest and most poignant trials.

I have, &c.,

WILLIAM GORE, Provost-Marshal

A historical
parallel.

P.S.—It may be amusing to your Excellency to be informed, and indeed they strike me as strange and concurrent circumstances in the history of my life, that this completes the tenth anniversary

of the first day since I was engaged with a body consisting of some thousands of Irish rebels, who we defeated in two successive actions; but they, in their turn, compelled us to retreat. And on the same day, and at a distance of seven miles from the scene of action, a colonel of the British Army, a few private gentlemen, Mrs. Gore and a few other officers' and gentlemen's ladies, were made prisoners by them; and notwithstanding we then considered them an implacable and a ferocious enemy, they, however, treated their prisoners with respect and with tolerable kindness, in this instance manifesting their superiority over their brethren of New South Wales. But mark, sir, how parallel their pretexts, their views, and their objects were. They, too, conceived the traiterous design of choosing their own form of government, and of appointing their own rulers, of reforming alleged abuses, and of redressing pretended wrongs. Like them, elated with the success of a first attempt, they already anticipated the completion of their wishes in the permanency of their unnatural establishment. Like the Irish rebel, also, their chastisement will be the more certain and assured, and loyalty will be delivered from persecution.

1808

24 May.

Gore and
the Irish.

REV. W. COWPER TO UNDER-SECRETARY CHAPMAN.

Sir,

Hull, Citadel, 27th May, 1808.

27 May.

I take the liberty of soliciting your interest in my behalf with my Lord Castlereagh, if you see no objection to my request, for three months or such period of further salary as His Lordship may be pleased to order. The many necessities of life which a family so large as mine requires for a long voyage, besides the transport allowance, together with the great expence of my travelling to and attending in London, and the removing of six persons with baggage across the country from Hull to Portsmouth, &c., upon a moderate calculation I find that to make my family tolerably comfortable on the passage, and have decent apparel for them on their arrival in New South Wales, I shall require about fifty pounds more. You will recollect that out of the present half-year's salary of £120 there have been paid £12 for income-tax and £9 3s. 6d. for my commission, by which means it was reduced to £98 16s. 6d. A sum considerably more than this I have laid out in sundries for the use of my family, and are now on board the *Æolus*,* convict ship. I hope I am not asking too much when it is considered the certificate of my arrival in New South Wales most probably will not come to hand before July, 1809, to enable my agent to draw any salary on my account. I am not sufficiently acquainted with the rules of office to determine whether I may now be soliciting what is improper, but I trust you will have the goodness to act as you shall see best, and pardon the liberty I have taken

Rev. William
Cowper asks
for an
advance of
salary.His receipts
and
expenses.* The Rev. Mr. Cowper did not sail in the *Æolus*.

1808
27 May. in thus troubling you. I purpose to leave this place on the 6th, arrive in London early in the morning on the 8th of June, settle some little business, and run down to Portsmouth in time for the convoy. Could you favour me with a line as early as possible, it would enable me to arrange matters better, and will ever be deemed a particular kindness done to, sir,

Yours, &c.,
WILLIAM COWPER,
Ass't Chap'n, New South Wales

GOVERNMENT AND GENERAL ORDER. (Bligh Papers.)
28th May, 1808.

28 May. The Judge-Advocate. ANTHONY FENN KEMP, Esquire, is appointed to act as Judge-Advocate.

31 May. PROVOST-MARSHAL GORE* TO GOVERNOR BLIGH. (Bligh Papers.)

Sir, Cells, Sydney Jail, N.S.W., 31st May, 1808.

I presume you have already been informed of the additional unprecedented outrage and atrocious violation of the laws of England, that a body of persons styling themselves a Court of Criminal Jurisdiction has perpetrated against the person of a British subject and of a British officer who has the honor of holding a commission under His Majesty's sign manual, by dragging me yesterday from the dungeon in which they have cruelly and illegally immured me since the twenty-first of last March, before them, without the least warning, without a minute's notice, when the infamous Kemp, who acted as Judge-Advocate on the occasion, read an indictment charging me with having committed wilful and corrupt perjury, and asked me, "Are you guilty or not guilty?" "I have a few observations to make; I believe I have them in my hat." "We do not wish you to say anything; we do not wish you to speak: are you guilty or not guilty?" "I deny your jurisdiction." "We are not to be harangued by you, Mr. Gore; we are not come here for you to harangue us." "I will not plead; I deny your jurisdiction." "It is not for you to deny our jurisdiction; I will pass sentence on you if you will not plead." "You are an unlawful assembly, and illegally constituted; the most disgraceful, the most rigorous sentence you can pronounce on me I shall receive as the greatest honor you can confer on me; I shall not acknowledge your authority; I deny your jurisdiction." *Captain Abbott*: "Mr. Gore, you can challenge any member—you can challenge any member." "No, possessing my fealty and my allegiance to my King, I deny your jurisdiction; I will not plead—for you are an unlawful assembly." *Captain Kemp*: "Clear the Court; clear the Court." The Court having been opened again, after a lapse of

* In the seclusion of his prison cell, Gore appears to have devoted most of his time to the composition of lengthy letters to Bligh and the British Government, and to the (apparently) congenial task of reviling the enemy.

about twenty minutes, Kemp said : “ We have recorded that you have refused to plead.” “ I have ; I do.” “ And we have sentenced you to be transported for seven years.” “ You have conferred on me the greatest honor you are capable of conferring—the only honor I could receive from such men. Loyalty and treason could not unite ; treason and loyalty could not associate, could not agree.” *Kemp* : “ Take him away ; take him off ; take him away ; take him away.”

1808

31 May.

—
Gore
sentenced to
seven years.

The preceding is an accurate statement of the iniquitous proceedings of yesterday. They certainly afford the most unanswerable comment on the enormities our despots commit, under the influence of desperation and the hope and expectation of future immunity and pardon, and the best refutation of the calumnies and false accusations with which they have assailed and uniformly endeavoured to circumvent and destroy my character. Since my arrival in this country, I trust, sir, that as far as it was in my power I have done my duty—that I have acquitted myself as a faithful servant of the Crown and as a loyal and firm officer. Be assured, sir, that the personal danger I encounter and the sacrifice of my liberty are but minor considerations in my breast. My life I would willingly risk in the maintenance of the dignity and authority of my venerated Sovereign and of his virtuous and much injured representative. Favor and respect from such men as my debased persecutors are would, believe me, be considered by me as my greatest dishonor. As it is whispered to me that I may be taken by surprize to-morrow morning and sent to the Coal River, from which it would appear that these fellows are desirous of preventing me from going to England, for the reasons I have heretofore mentioned, pardon my entreating you to state to His Majesty’s Ministers the unhappy condition of my poor family—the forlorn, the unmerited, and the miserable situation to which my dear and amiable wife, and my tender, my darling infants, are reduced by the veriest miscreants in existence, surely cannot fail to interest His Majesty’s Ministers in their behalf, particularly as I am apprehensive, with great reason, that an attempt may be made on my life. To you, sir, as their advocate, and to the justice and magnanimity of His Majesty’s Ministers, I commit them in the hour of the most unheard-of calamities and oppressions. I fondly flatter myself that our great and beneficent King would (if I was to lose my life through the villainy of our enemies), upon a proper representation, consider them worthy and deserving his Royal protection and consideration.

Gore and
the officers.

Professions
of loyalty.

Solicitous
for the
welfare of
his family.

Should I not have an opportunity of having the honor and satisfaction of a personal interview with you before your departure from this ill-fated country, I now, sir, take my leave of you, and beg your acceptance of my sincerest thanks and acknowledgments for the great kindness and attention you have evinced towards my family

He takes
leave of
Bligh.

1808
31 May. and myself. I wish you and Mrs. Putland every happiness, and I pray for your (indeed, I do not doubt it) complete triumph over your enemies. Enemies, have I said?—an enemy is an honorable character ;—your cowardly defamers, the lawless assassins of every honest, every honorable, and every independent principle. May God bless and protect you ! I have, &c.,

WILLIAM GORE

PROVOST-MARSHAL GORE TO GOVERNOR BLIGH. (Bligh Papers.)

2 June.

Sir, Cells, Sydney Jail, N.S.W., 2nd June, 1808.

Gore on his trial.

From the agitation my mind has undergone, I inadvertently omitted, in my letter of the 31st of May,* to tell you that, when I was taken by four constables from the cell in which I am incarcerated, on Monday, the 30th of May, I was conducted by them to the military barracks (it was then precisely 25 minutes after 12 o'clock), where I was ordered to be kept until two o'clock (the Court, as I was informed, being adjourned to that hour) as a show and spectacle for the derision and amusement of the soldiers, one constable keeping constantly by my side on the parade, and the Chief Constable occasionally attending and walking on the other side whenever he observed McArthur approaching to and coming on the parade.

Kemp the Judge-Advocate.

The barrack being at length opened, which they called the Court-house, and the persons assembled who were to compose the Court, it is now, sir, for you to judge how great must have been my surprise on seeing the identical Captain Kemp presiding as Judge-Advocate who, on the 25th of last January, acted so conspicuous a part by threatening to commit His Majesty's Judge-Advocate to jail, and who at length turned him out of Court—the very monster who volunteered as a witness to swear, before Jamison and Blaxland, two of his self-created fellow-justices, that I was guilty of the pretended crime (for which he was actually sitting in judgment on me), with which the traitor, McArthur, had charged me—for Kemp had sworn, on the first of March, before the above two persons, that “I heard him tell me that the Court would return McArthur to his former bail, as I bowed to him at the time of his telling me so.”†

A prejudiced Court.

Lieutenants Moore, Laycock, and Lawson, who had likewise been subpoenaed as witnesses against me in this cause, and Captain Abbott‡ also, who allowed the validity of a challenge I made to him on the 21st of March, in this very cause, too, were all members of the Court—or, rather, of this traitorous assembly. They, of course, prejudged me, for they had long before declared themselves ready to swear to my guilt. This base stratagem was artfully

* The preceding letter.

† Ante, p. 530.

‡ Abbott appears to have acted with great moderation during the whole of the period when the military had unlimited control of the affairs of Government.

planned by them, in order to discredit my testimony hereafter, by levelling (what they imagine) a fatal blow against my reputation ; but, although I must suffer great hardship by their barefaced violation of all the rules of justice and decorum, they have, however, fallen themselves into the pit they dug for me—for, in fact, they had no intention of trying me on the 30th of May. They were fully satisfied of the too palpable injustice of keeping me locked up in a dungeon, and they saw that the public began to observe it, and to express themselves freely on the subject—notwithstanding which they considered it prudent to continue me in prison with so infamous a charge hanging over me. But, in proportion as their preconceived injustice appeared more evident, they became more solicitous to remove from themselves the blame and odium of my confinement on so false a charge by making a show and a deluding display of their moderation and affected clemency in granting and acquiescing in the propriety of the challenges which, in the vanity and folly of their hearts, they flattered themselves I would make ; and, had I fallen into their snare, there not being any other officers in the country who could try me, they would then propose to me to give bail, and, on my refusal, they would have re-committed me to gaol. Thus the purpose of their iniquitous designs would, in a great measure, have been effected. However, as my seclusion from society, within the walls of a prison, had not as yet broken down my spirit, nor the power with which they had so traitorously invested themselves had intimidated me, their project, deep and artfully laid as it had been, was frustrated, and, by my denial of their jurisdiction, they have been precipitated into the perpetration of the foulest and most flagitious enormity and offence against the laws of the realm and the rights and liberty of the subject ; and their having debarred me the indulgence of offering a few observations to them precludes them from the suspicion even of intended impartiality, and stamps their injustice with the rankest inconsistency.

1808

2 June.

Public
comments.Intentions
and motives
of the Court.Gore neither
broken nor
intimidated.

I have, &c.,

WILLIAM GORE.

THE DUKE OF YORK TO VISCOUNT CASTLEREAGH.

My Lord,

Horse Guards, 13th June, 1808.

13 June.

I transmit to your Lordship herewith the copy of a letter from Major Johnston, commanding the New South Wales Corps, complaining of the general conduct of Governor Bligh to the military stationed at that settlement, and I feel it to be my duty to call the attention of your Lordships to the several circumstances of complaint as more particularly detailed in the letter of Major Johnston and the enclosures by which it is accompanied.

I am, &c.,

FREDERICK.

1808

[Enclosure.]

MAJOR JOHNSTON TO LIEUTENANT-COLONEL GORDON.*

13 June.

Sir, Sydney, New South Wales, 8th October, 1807.

Johnston
complains to
the Horse
Guards.

As an officer in the command of a regiment, I feel much concerned that so painful a task should be imposed on me as to be obliged to beg the interposition of His Royal Highness, the Commander-in-Chief, between Governor Bligh and the corps I have the honor to command. In order to be concise, and thereby take up as little of your time as possible, I will detail to you, for the information of His Royal Highness, some of the most glaring acts of Governor Bligh's indecorous and, I hope I might be pardoned if I said, oppressive conduct.

Bligh and
the Corps.

First, his interfering in the interior management of the Corps by selecting and ordering both officers and men on various duties without my knowledge; his abusing and confining the soldiers without the smallest provocation, and without ever consulting me as their commanding officer; and again, his casting the most undeserved and opprobrious censure on the Corps at different times in company at Government House.

He selects
the guards,and
nominates
members of
Court.

Having gone thus far, I will state some of the particular circumstances alluded to: First, that of his interfering in the interior management of the Corps, &c. Shortly after the departure of Governor King, the body guard not appearing to Governor Bligh sufficiently strong, he sent for three soldiers of the Corps by name, without ever giving me the slightest previous knowledge, or ever speaking to me on the subject; but rather than disturb the peace then existing I passed it over without seeming to notice it; but His Excellency having since selected and ordered five officers (named in the margin)† to sit as members of a Criminal Court out of their proper tour, by which they were absent for several days from their military duty, I waited on him to explain the common routine of the service (in the Army), and to state the injury which the character of other officers might sustain in the minds of the public by any such selection being made; but I am sorry to say that the answer I received from His Excellency was not such as I had a right to expect from the representative of my Sovereign.

An insult to
the Corps.

On the subject of his abuse to the soldiers I will instance His Excellency's once visiting the battery guard and ordering the men to give him their arms one after the other, and after wrenching all the flints out and throwing them on the ground he declared to the men that they were a disgraceful set, and that they were unworthy to bear arms. At another time His Excellency, finding some fault with a drummer, he sent for the serjeant-major, and

* Sir James Willoughby Gordon, military secretary to the Commander-in-Chief (the Duke of York).

† Lieutenant Lawson, Lieutenant Draffin, Ensign Mason, Ensign Masters, and Ensign Bell.

after having severely reprimanded him for the boy's imaginary misconduct, he dismissed him by desiring him to beware, for that the boy's behaviour was like the other depredations committed by the wretches of the Corps; and on another occasion His Excellency, on riding out, met a horse and cart which was driven by one of the soldiers (who had liberty to work when off duty). The man drew his cart to one side of the road and stopt, but the Governor's horse taking fright, he ordered one of his guards to cut the man down. On the horseman informing His Excellency that the driver was a soldier, he violently ordered that the tremendous b——r should be brought up before him to Government House, and on his being brought there His Excellency, after much severe language, told him that if ever he met him again, and that he did not draw off the road, that he would blow his d—n—d brains out. The next day, on His Excellency's riding through the row of soldiers' huts, he observed a man adding a skilling to his hut, and on enquiring who gave permission for its being built, the man answered that it was Colonel Paterson, to which his Excellency replied "Colonel Paterson; I will let Colonel Paterson, or Colonel Johnston (meaning me) either, know that they shall give no such liberty; take it instantly down." And, again, an issue of slop clothing having taken place to the convicts, one of the overseers who had a gang working in the Governor's garden asked His Excellency (who was then walking there) if he should take the gang to the store to receive their clothing, to which he replied, "Aye, take the rascals, and take care that they receive red jackets, for that's the only color they are worthy to wear," looking at the same time at the men of the guard, who were all in front of their guard house. For one instance of his confining and abusing the soldiers without the slightest provocation worthy of notice, you will please to refer to the enclosed documents.* All these are facts of which I have proof irresistible. Now, sir, from the few but unpleasant samples I have given of Governor Bligh's violent disposition, I have no doubt but that His Royal Highness will be sensible how very delicate the situation of an officer must be under him, and trust it will prove a sufficient excuse for my thus trespassing on your time; and, as I can foresee no end to Governor Bligh's ill-judged behaviour, I earnestly beg and firmly hope that H.R.H. will be pleased to interpose his authority between him and the military, and that such instructions will be sent out as will enable the Commanding Officer here to act in his situation with benefit to His Majesty's Government, and some degree of pleasure to himself; for I must not omit observing that

1808

13 June.

The King's highway.

Bligh's violent language.

Convicts and soldiers.

Johnston's delicate position.

* Enclosed with this letter were Governor Hunter's General Order of 25th September, 1800, which was inadvertently omitted from vol. iv, and is therefore printed here; King's Orders of 28th October, 1800, vol. iv, p. 250, and 13th August, 1806 [enclosure No. 2], and extract from the *Sydney Gazette*, of 22nd February, 1807, relative to the suspected insurrection of the Irish convicts (omitted); a letter from Ensign Bell to Major Johnston [enclosure No. 3]; and a statement by Lieutenant Minchin, which, as it forms an enclosure to Johnston's letter of 11th April, 1808 (ante, p. 588), is not reprinted.

1800
18 June.

Governor Bligh seems ignorant of any instructions or rules whatever, but such as are dictated by the violent passion of the moment. For H.R.H.'s further information, I enclose copies of Gen'l Orders issued by Governors Hunter and King, and a paragraph from a *Government Gazette*, published under the inspection and authority of Governor Bligh, as a proof of the constant attention and good order of the Corps; and I beg you will be pleased to communicate to H.R.H. my faithful assurance that His Majesty has not a regiment more zealously inclined at all times for the good of the service.

I have, &c.,

GEO. JOHNSTON,
Major, Commanding N.S.W. Corps.

[Enclosure No. 1.]

GOVERNMENT AND GENERAL ORDER.

Headquarters, 25th September, 1800.

Hunter
eulogises the
New South
Wales Corps.

THE Governor having this day reviewed that part of His Majesty's New South Wales Corps doing duty at Sydney, cannot omit this opportunity of expressing the satisfaction he has received from the very handsome and military appearance, which does so much honor to Lieut.-Colonel Paterson and the commissioned officers under his command. The expertness with which the various military motions were performed is highly to the credit of the whole body, and in which the non-commissioned officers have a distinguished share. The Governor cannot close the present opportunity (as it may probably be the last) of assuring the troops generally that the confidence he has long reposed in their promptitude upon every occasion which might require their particular exertions, has ever inclined him to consider with contempt the threatenings said to have been held out by a number of discontented and misled people, well-satisfied that the active assistance of the New South Wales Corps, added to those precautions and exertions which have, and he trusts will continue, to distinguish the civil power, will ever be found a complete security for the peace and tranquility of this settlement and of His Majesty's Government in this remote part of the British dominions.

[Enclosure No. 2.]

GENERAL ORDER.

Headquarters, 13th August, 1806.

King follows
suit.

HIS Excellency Governor King having this day reviewed His Majesty's New South Wales Corps previous to his giving up the Government, he is happy to testify his approbation of their general good conduct, and the satisfaction he feels to leave under his successor's directions a corps whose constant activity, zeal, and soldierlike conduct has so eminently shewn itself in a just discharge of the duty they owe to their King and country.

[Enclosure No. 3.]

1808

ENSIGN BELL TO MAJOR JOHNSTON.

13 June.

Sir,

Sydney, 28th September, 1807.

In conformity with your instructions of this day, I beg leave to say that on Sunday last, during Divine service in the morning, I observed that Mrs. Putland was much agitated, and upon looking at her again a few minutes after, I perceived she was crying, but was at a loss to conjecture the cause, excepting that it arose from some nervous affection. She instantly arose and was accompanied by H.E. the Governor into an adjoining room. H.E. the Gov'r on his return, I plainly perceived, evidenced some marks of displeasure, and, as I then imagined, at the improper conduct of some child or children. That as soon as the service was closed, H.E. the Gov'r stepped forward and taking me by the arm, led me to that part of the church where the soldiers were sitting, and pointing to a particular bench selected a certain number, and informed me that they had behaved in the most insulting manner to Mrs. Putland during the whole time, and instantly quitted me.

Bligh and the soldiers.

Mr. Draffen, who had the command of the party, followed close behind me, to whom I briefly stated this sudden transaction, and he accordingly sent the prisoners to the guard-house.

Upon my expressing my surprize and disapprobation to the men at the charges exhibited against them, they assured me that they had not the most distant intention of offending. I observed no impropriety myself.

This is as nearly as I can recollect the whole that came within my own personal knowledge.* I have, &c.,

ARCH'D. BELL,
Ensn., N.S.W. Corps.

EX-GOVERNOR KING TO UNDER-SECRETARY COOKE.†
(King Papers.)

Sir,

41, Norton-street, 18th June, 1808.

18 June.

‡ From the conversation I had with you the other day, I send you the letters I received by the last ships from N. S. Wales for your private perusal, and have sent them to North Kew that they might not be mixed with other papers, and will thank you to return them when read, that I may destroy them.

Letters from Sydney.

They are uniform, as you will observe, in their censure on my successor; and was it not to possess you of the necessary knowledge of what is doing in that colony, which is so much under your direction, I should not have submitted them to you, in doing which I am totally at a loss for the cause of Governor Bligh's reported conduct towards me, which never could have originated

Censures on Bligh.

* See also Minchin's statement, ante, p. 588.

† At the time this letter was written, news of the arrest of Bligh had not reached England. Doubtless amongst the "letters received by the last ships from New South Wales" were those of Harris, ante, pp. 336 and 342, and Minchin, ante, p. 331.

‡ This letter was marked "Private."

1808

18 June.

Bligh and
King on
friendly
terms.

Contending
forces in the
colony.

King's
experience.

A civilian
Governor.

Withholding
settler's
grants.

while I was in the colony, having during the six months that I remained there without any command or authority, after he arrived, lived on the most friendly footing with him, given him every communication and constant assistance, and which he very liberally stated in his letters to Sir Joseph Banks, and most probably has in his public despatches. But as I observed to you the other day, the private accounts from that colony, as far as they reflect and andimadvert on the conduct of those in trust, ought to be received, I believed, with much caution; because there is no society where the clashing of duty and interest between the Governor and the governed are more violent than in New South Wales, and more particularly so if the Governor does his duty. And altho' I have ever had a high opinion of some of the writers of these letters, particularly Mr. Harris, still I conceive that disappointment and unpleasant events may have occasioned provocation on one part and rancour on the other. Such has ever been the situation of that colony under a naval and, indeed, a military Governor, that much bearance and forbearance has been reciprocally necessary between the Governor and the officers. I had my share, as well as my predecessors, and I make no doubt have been equally abused as my successor now is. Nevertheless, being satisfied with the rectitude of my own motives, I little cared for the censure of the discontented and disappointed, who in the end saw and regretted their errors, and were, apparently, ashamed of what they had considered a grievance.* Such may be the efforts making now, and such, I sincerely hope, will be the termination of the present differences that so unfortunately prevail in that quarter; but the Governor must be supported in every just and necessary exercise of his authority, which I am persuaded is your wish.

Should a passable harmony continue wanting, and a resignation or removal become necessary, I suggest to your judgment whether it might not be advisable to select a respectable and able civilian to administer that Government, which might do away the jealousy but too often attendant on professional *esprit de corps*; and as the salary of the Governor is now fixed at a most liberal rate, it might be an inducement to a man of talent accepting that great trust, as all the difficulties attending the formation of an establishment are principally removed.

There is a subject which I think should be noticed in your present despatch, and on which head you may have had some applications—that is, the non-compliance with some orders communicated by you, under the Minister's directions, respecting the locating lands and stock, &c., to free settlers, viz., the Townsens, Bunker, Fitz, &c., who, if I mistake not, are still without the grants, &c., ordered by you under My Lord C.'s directions, under the mistaken idea that no order is valid unless signed by the Principal Secretary of State. The Blaxlands have theirs, because Lord Castlereagh signed the

* See Minchin's letter of 20th October, 1807, ante, p 331.

order. I must say that I ever considered it my duty to consider your official directions equal to the Principal Secretary of State's, and, as such, have ever obeyed them. My successor's ideas on this subject I cannot account for; but it is hard that those who have gone so far should have their claims suspended, owing to an official misconception, which may eventually produce unpleasant events.

In having thus confidentially taken the liberty of making the above suggestions, I have to claim your candor and indulgence for anything you may observe or consider premature in pressing my opinion too much.

I have, &c.,

PHILIP GIDLEY KING.

GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.

My Lord,

30th June, 1808.

30 June.

55. I have already said* that martial law was proclaimed. It was done in the following words:—

“GEORGE JOHNSTON.

“THE present alarming state of the colony having induced the principal inhabitants to call upon me to interpose the military power for their relief, and to place His Excellency Governor Bligh in arrest, I have, with the advice of my officers, considered it necessary, for the good of His Majesty's service, to comply with their request. I do, therefore, hereby proclaim martial law in this colony, to which all persons are commanded to submit, until measures can be adopted for the restoration of the civil law on a permanent foundation.

Johnston
proclaims
martial law.

“By command of His Honor the Lieu't-Governor,

“(Signed) NICHOLAS BAYLY,

“Head-quarters, 26th January, 1808.”

“Secretary.

56. I have only to observe on this proclamation that the colony was in a most tranquil state, and the inhabitants happy—except McArthur and his party, who was alarmed at the issue of his trial, and seemed uneasy that he could not be above all law.

Macarthur
and his
party.

57. The next day a General Order,† as I was informed, was published.

58. A little after this the following proclamation was published:—

“PROCLAMATION.

“GEORGE JOHNSTON.

“THE public peace being happily and, I trust in Almighty God, permanently established, I hereby proclaim the cessation of martial law.

Cessation of
martial law.

* The preceding part of this letter consisted of a *verbatim* copy of paragraphs 1 to 54 (inclusive) of Bligh's letter of 30th April (ante, p. 607 to 628), and for that reason has been omitted. Paragraphs 55 to 120 (post, p. 678) cover practically the same ground as the concluding paragraphs of the letter, 30th April (ante, p. 622 to 628); but as the arrangement is slightly different, and the wording has been altered, both versions are given. The despatch, although dated June, 1808, was not sent until September. See Bligh to Castlereagh, 31st August, 1808, post, p. 709.

† This was the General Order of 27th January, 1808, appointing Judge-Advocate, magistrates, and other officers, given at length on p. 453, ante.

1808

30 June.

Magistrates, &c.,
appointed.Orderly conduct of the
people.A Colonial
Magna
Charta.

Soldiers !!

A salute
fired.Committees
examine
Bligh's
officers.Constitution
of com-
mittees.

"I have this day appointed magistrates and other public functionaries from amongst the most respectable officers and inhabitants, which will, I hope, secure the impartial administration of justice, according to the laws of England, as secured to us by the patent of our most gracious Sovereign.

"Words cannot too strongly convey my approbation of the behaviour of the whole body of people on the late memorable event. By their manly, firm, and orderly conduct they have shown themselves deserving of that protection which I have felt it was my duty to give them, and which I doubt not they will continue to merit.

"In future no man shall have just cause to complain of violence, injustice, or oppression; no free man shall be taken, imprisoned, or deprived of his house, land, or liberty, but by the law; justice shall be impartially administered, without regard to or respect of persons; and every man shall enjoy the fruits of his industry in security.

"Soldiers!

"Your conduct has endeared you to every well-disposed inhabitant in this settlement. Persevere in the same honorable path and you will establish the credit of the New South Wales Corps on a basis not to be shaken.

"God save the King.

"By command of His Honor the Lieutenant-Governor,

"(Signed) NICHOLAS BAYLY,
"Secretary.

"Head-quarters, Sydney, 27th January, 1808."

59. This proclamation was followed up with a salute of twenty-one guns from Dawes' Point, and the Standard of Great Britain was hoisted. The troops fired three volleys from the parade.

60. On that and several succeeding days, committees again met, before whom all the magistrates and those who were considered as having been intimate at Government House were brought and examined concerning my administration and intentions. Every wicked artifice, as well as threats, were used to force affirmative answers to all such questions as their diabolical minds could propose, and some of them were brought to such agitation from a fear of their lives that they knew not what they said or did, trembling under the tyranny which was existing.

61. These committees were composed of McArthur, Bayly, Blaxcell, Grimes, Jamieson (surgeon), Captain Kemp, Lieutenant Minchin, Lieutenant Lawson, Lieutenant Draffen, Doctor Townson, and Jno. Blaxland.

62. There were likewise Benches of Magistrates ordered, and they began to arrest many persons who were considered loyally attached to my government, and the most threatening messages were sent to others.

63. Agents were sent about the town of Sydney, who, by threats and promises, induced the greatest part of the inhabitants to illuminate their houses and make bonfires on that and the following night ; and a scene of drunkenness, even among the troops as well as the people in the town, gave apprehension for the safety of Government House, from whence my arms had been taken by Lieut. Moore through the orders of Major Johnston.

1808
30 June.
—
Illumina-
tions and
bonfires.

64. On the morning of the 28th, a committee, composed of Mr. Nicholas Bayly, Captain E. Abbott, Thomas Jamieson (Principal Surgeon), and Mr. Garnham Blaxcell, came to me ; and Bayly, in a very Robespierrean manner, read and delivered the following charge :—

“Sydney, 28th January, 1808.

“I AM directed by His Honor the Lieut.-Governor to acquaint you that the late magistrates (who it is proved you were in the habit of consulting) have been examined on oath before committees constituted under the Lieut.-Governor's authority ; that, from the confessions of those persons, it appears that you have been acting upon a settled plan to subvert the laws, to terrify and influence the Courts of Justice, and to deprive every person who had the misfortune to be obnoxious to you of their property, liberty, and lives. The Lieutenant-Governor, feeling that an offence of such magnitude must be productive of the most serious consequences, is impelled by sentiments of humanity to give you this early notice that you may consider and seriously reflect on the measures which may be necessary for your justification.

Charges
against
Bligh.

“His Honor has further directed me to assure you that as soon as the examinations are complete, you shall be furnished with a copy, and that, if you think proper, all the evidences shall be re-examined in your presence, and be directed to answer any questions you like to propose to them. His Honor has also desired me to assure you that it will give him the greatest satisfaction to contribute by every means in his power to the alleviation of the distress of your present situation, and to the comfort and accommodation of you and your family.

Copies to be
furnished to
Bligh.

“By order of His Honor the Lieutenant-Governor,

“(Signed) NICHOLAS BAYLY,
“Secretary.”

65. The daring impudence of reading a charge of this nature, added to the outrage of depriving me of my government, increased my indignation. I denied their authority in every proceeding not authorised by myself, and told them that only to my King and country would I be answerable for any act of mine in this colony.

He denies
the
authority of
Johnston.

66. With respect to my subverting the laws, it rests upon the local Regulations I have made. Those, it can be proved, have been the most salutary, and conformable to my instructions from His Majesty's Ministers. It is true they gave umbrage to a certain

The charge
of
subverting
the laws.

1808

30 June.

Tampering
with Courts
of Justice.

description of men because they tended to put an end to monopoly, and encouraged the industrious men to rise above his common level, which former practices prevented.

67. As to intimidating and influencing the Courts of Justice, many in the colony can bear testimony that I never interfered in their concerns. Every complaint made to me was referred to them and the magistrates. To the Judge-Advocate I have shewn my disapprobation when justice was disgracefully delayed and other instances of partiality occurred which he was chiefly the cause of. At such times I only shewed my authority by admonitions and strict justice.

Bligh's
relations
with private
citizens.

68. In regard to the third part of the charge, no person ever became obnoxious to me unless by a breach of the laws which it was my duty to see duly executed. A certain description of men (the present usurpers) thought great offences might be committed by them with impunity, and an equality of distributive justice was called by them a settled plan of depriving them of liberty, property, and their lives. Where there was a likelihood of amendment in any unfortunate person my attention was ever drawn to that object, and this line of humane conduct has been productive of a great deal of good, and been exemplified the last year in the reduction of crimes and punishments, to the great comfort of every one.

69. Immediately after my declaration, before mentioned, the committee produced a written Order, which they received from Major Johnston, as follows, and was read by Mr. Bayly:—

“Sydney, 28th January, 1808.

Examina-
tion of
Bligh's
papers.

“You are hereby directed to examine all the papers belonging to William Bligh, Esq., and to detain all papers that in any way relate to the public concerns of this colony and its dependencies: all other papers you are to return him. You are to acquaint him that during your examination of those papers he may be present and have any friend or other persons also present he may choose to appoint.

“(Signed) GEORGE JOHNSTON,

“Lieutenant-Governor.

“To Capt. Ed. Abbott, Thos. Jamison, Esq., Garnham Blaxcell. Esq., Nicholas Bayly, Esq.”

Bligh
objects.

70. To this Order I objected, as also to the acknowledging Major Johnston as Lieu't-Governor, when Capt. Abbott and the other members of the committee replied that my objections were useless—that they had received orders and would therefore execute them.

Seizure of
his papers,
&c., and of
the Great
Seal.

71. My papers and letter books, my private instructions, the Great Seal of the colony, and my commissions, which had been seized and locked up the night of my confinement, under a guard of two sentinels, were now taken possession of; but I insisted on keeping my private letter books, in which were entered copies of my letters to and from the Secretary of State, and a duplicate of

my last despatches (which lay prepared for the first opportunity of sending off) and I sealed them up. On this occasion, that respect might be shown to these books and papers, I wrote as follows:—

1808

30 June.

“Sir, “Government House, Sydney, 28th January, 1808.

“By frequent private communications with His Majesty’s Principal Secretary of State for the Colonies before I left England, I was ordered to enquire into particular circumstances, to which I have made answers; and an application being made to me to give up the public papers of the colony, by a committee from you, I think it due to my consequence and situation, under the consideration before stated, to object to give up particular books and particular papers to any person except yourself, sealed.

Protests
against
private
papers being
taken.

“I am, Sir, your obedient humble servant,

“To Major Johnston.”

“(Signed) W^m BLIGH.

72. In consequence of this letter Mr. Bayly returned and read to me the following Order which he had received:—

“Sydney, 28th January, 1808.

“I HEREBY command you to proceed to the execution of my orders, as expressed on the other side of this paper.

Johnston’s
orders to be
obeyed.

“(Signed) GEORGE JOHNSTON,

“Lieutenant-Governor.

“To Captain E. Abbott, Thos. Jamison, Esq., Garnham Blaxcell, Esq., Nicholas Bayly, Esq.”

This Order was written on the back of the one preceeding.

And further, His Honor the Lieu’t-Governor has directed him to state that he should feel himself under the necessity of declining to receive any addresses from me unless they were directed to him as Lieutenant-Governor to this country, which Order was signed Nicholas Bayly, Secretary, and addressed William Bligh, Esq.

He insists
on Bligh
addressing
him as
Lieutenant-
Governor.

73. At the departure of the committee I again objected to their taking away the Great Seal of the colony, but Mr. Bayly declared that they could now command it; it was needless for me to make any opposition. A part of the papers were only taken away this day, and the remainder locked up as before, with two sentinels at the door.

Removal of
the Great
Seal.

74. The following morning the same committee came again, and took away another assortment of papers, public and private. Many of them were secret letters, containing private information concerning the affairs of the colony.

75. All the land upon the material parts of the banks of the Hawkesbury being granted away to individuals, except a small spot in which Government House stood, and the extent of that settlement rendering it necessary to have a resting-place in my journeys, as well as to render it easier for the settlers to have access to me, I directed the Rev’d Samuel Marsden to purchase a small place eligible for my purpose, which he did of a person returning to England for one hundred and fifty pounds of my own money at the rate of a pound per acre, and to which I added by purchase an

Bligh’s farm
at the
Hawkes-
bury.

1808
30 June.

adjoining piece of about one hundred acres for one hundred pounds. In the cultivation of a part of this spot, I also wished to prove by example to the settlers that a few acres properly taken care of would produce as much as a great many by their modes of farming, whereby considerable time and labour would be saved for other valuable concerns. The private accounts of this farm, which had been sent to me by the person who took care of it, and were in my private desk, this committee seized. Altho' I received them a considerable time before, yet the public concerns of the colony did not give me time to peruse them.*

Protests
against
seizure of
private
papers.

76. Messrs. Palmer, Campbell, and my secretary, friends of Government, were present at the seizure of all the papers, and remonstrated against the unlawfulness of taking them away; but the committee answered they were the only competent judges of what ought to be done, and Captain Abbott told my secretary he was very impertinent in dictating to them.†

Missing
papers.

77. Among the papers of the proceedings concerning the six officers, the two letters from them on the 26th‡ and the Judge-Advocate's memorial§ to me were missing. I therefore desired the Judge-Advocate might be sent to. Mr. Surgeon Jamison was appointed to go accordingly; but Mr. Atkins denied having the memorial, saying he had only the rough copy, which the committee directed to be delivered to the Lieutenant-Governor.

Stores,
provisions,
&c., for
support of
Bligh's
household.

78. To add to other insults, I received a written message|| from Major Johnston by Mr. Bayly, stating that rations should be continued from the public store to my servants, and live stock from the public herds and flocks for my family, and that receipts would be required from me for every article issued on my account, that a charge might be made for the same at the current market prices; that when I was to leave the colony an account would be made up and transmitted to His Majesty's Ministers that they might determine whether such stock, provisions, and stores were or were not to be paid for by me; and further, that he must reduce my establishment of horses to five. Soon after, another message¶ was delivered to me, that in case I chose a tombstone to be erected over the remains of the late Captain Putland (my son-in-law) it would be done and the expense transmitted Home to know if I was to be charged with it. I had designed and executed a part of a mausoleum which I intended for the reception of the remains of Governors who might die in this colony. It was near the church, and in the finished part of the vault Capt. Putland's remains had been deposited.

Captain
Putland's
tombstone.

79. On the 30th of January, the committee came again and took away another assortment of papers, and, locking up my office, the sentinels were taken away and my friends were allowed to see me.

* See previous letters relative to these farms of Bligh's, ante, pp. 262, 267, 270, 307, 339, 410, and Thompson's evidence, ante, p. 450.

† Abbott was averse to the seizure of the private papers. See his letter of 13th February, 1808, printed in the Appendix.

‡ Ante, p. 429.

§ Ante, p. 430.

| Ante, p. 457.

¶ Ante, p. 461.

80. Rebellious Courts of Justice were going on,* and my book, containing copies of letters to the Secretary of State, sent for, and paragraphs read to elucidate my conduct and designs, as likewise to irritate the minds of the officers and people. That the people might be attached to the rebellious party, they promised numerous licenses, cows, and other stock out of Government herds and flocks, while they were sending memorials into the country ; and by these promises and threats they induced a number of poor persons to sign these, which are the kind of documents they have to give a color of consistency to their rebellious proceedings.

1803

30 June.

Bligh's
letters made
public.Bribes to
settlers.

81. The serious part of my duty which I had orders to execute in evacuating Norfolk Island caused His Majesty's ship Porpoise to be now absent, but expected every day to arrive. This object of securing this ship on her return became of great consequence to me, for the officers of her (particularly Acting-Lieutenant Symonds) who had the command of her on account of the sickness and death of Captain Putland and Acting-Lieutenant Ellison) having been here during the time of His Majesty's ship Buffalo, were very intimately connected with the rebellious party in all their practices. On this concern I wrote to Major Johnston,† and demanded that she should be given up to me on her return ; that in the meantime I might make the necessary preparations for her fitting out. This I urged by letters showing the distinction between my situation as Governor and Commodore on this station ; but my endeavours proved unsuccessful, as by two letters from him he refused my having again the command of the Porpoise, as it was his intention to send me Home in a merchant ship.

The King's
ships.

82. My broad pendant was flying on the Estramina, a Government Colonial schooner, but it was hauled down in consequence of Major Johnston's order to the master of her the day after my confinement—a copy of which I enclose.‡

Bligh's
broad
pendant
hauled
down.

83. On the 4th of February the Porpoise arrived, and Acting-Lieu't James Symonds, who commanded her, did not hoist my broad pendant, but joined with the rebel party, accepted an appointment as a magistrate from them, and gave himself a commission as acting-commander, without ever communicating with me, or sending the public dispatches which he had received at Norfolk Island and the Derwent. At the same time I was prevented from having any communication with him by the following written message from Major Johnston :—

H.M.S.
Porpoise.

“Sydney, 4th February, 1808.

“His Honor Lieu't-Governor Johnston has commanded me to acquaint you that he cannot allow you to hold any communication

Communi-
cation with
ships
stopped.

* Marginal note in original.—“To the time of this despatch being closed they have executed seven persons.”

† Ante, p. 400.

‡ Ante, p. 454.

1808

30 June.

with the officers of His Majesty's ship Porpoise, and that he shall consider any attempt to do so, either by letter or otherwise, as a breach of your arrest.

“(Signed)

NICHOLAS BAYLY, Secretary.”

Attempts to
send Bligh
Home.

84. From this period various letters passed tending to deprive me of any hopes to regain my ship, and threats that I should be sent away first in one and then in another merchant ship, in which neither convenience nor my personal safety could be at all expected, and which I resisted. After this they began to make offers that I might go in the Porpoise on terms my honor would not admit of, such as resigning my command to a rebellious and self-made commander, and who dishonorably had made a requisition to Major Johnston, as Lieu't-Governor, to demand of me all the Orders that had been received from the Admiralty concerning the ship.

Bligh's
projected
embarka-
tion for
England.

85. An armed vessel, with letters of marque, having arrived from the Cape of Good Hope, called *The Fox*,* I required to get out of my confinement into her. This produced a letter stating that unless I agreed to go in the Porpoise, on their conditions, I should be *required* to embark (with any one person I might choose to attend me†) in the Dart in a few days. This was a poor miserable vessel with only one deck, deeply loaded with salted skins, and in the interest of McArthur. I then wrote to Major Johnston to know if by the word *required* he meant that force would be applied, who answered in the affirmative; upon which other difficulties occurred, which were controverted between me and them,‡ when the Lady Nelson, tender, which had been employed on the same service as the Porpoise, arrived on the 29th March.

H.M.S.
Lady
Nelson.

86. This vessel was commanded by Acting-Lieutenant Kent, properly first lieutenant of the Porpoise, who immediately waited on me before he could be prevented. I therefore, conceiving a favorable opinion of him, and hoping by this means to get the command of the Porpoise—at all events, to turn out Lt. Symons—sent him a commission; but, as I was prohibited from communicating with her officers, I was obliged to do it through Major Johnston, who refused to deliver it unless I, by a letter to Lt. Kent, signified that I would give up my authority over that ship until we arrived in England. This I refused, and some letters passed between us concerning it. At length, on the 1st of April, they sent the following written message:—§

Bligh
refuses to
resign his
naval post.

Lieutenant-
Governor
Paterson.

87. I have only to observe on the foregoing that Lieut.-Col. Paterson's appointment as L't-Governor of the territory had been thoroughly made known by public Orders on that account, and annually noted in the almanacs, by which no doubt can be ascertained of their having known it, and of their art in fabricating an untruth.

* The Fox arrived at Sydney on 21st March, 1808, with merchandise from the Cape, and sailed on a sealing expedition on 30th September, 1808.

† There is nothing in the “Records” to show that Bligh was restricted to one person

‡ See the correspondence, ante, pp. 540 to 547.

§ See Bayly to Bligh, 1st April, 1808, ante, p. 570.

88. A few days after I received this message, Major Johnston delivered to Lieut. Kent the commission I had sent him to take command of the Porpoise, which he accordingly did. 1808
30 June.

89. As soon as this became known to me, I procured two friends to throw themselves in Captain Kent's way, and to impress on his mind that now, being legally appointed, he was to separate himself from any intimacy with the rebels, and keeping his ship in good order, never to lose sight of me or suffer any insult to be offered to my person and dignity or obey any orders from the present usurpers, which he promised faithfully to do. Notwithstanding this, on the 19th of April, he sailed, and I was told it was to bring up Colonel Paterson from Port Dalrymple. Captain Kent sails for Port Dalrymple.

90. Captain Kent returned on the 26th of May without bringing up L't.-Colonel Paterson or me any message or letter from him. It is reported that the cause of Colonel Paterson not coming up was my remaining in the colony; and as he knew that without my death or absence he could not legally assume the reins of Government, he thought it too dangerous to attempt to restore my authority, as he considered all the officers of the Corps were concerned in the rebellion. Returns without Paterson.

91. By report, too, I found the Porpoise has been aground, and is in so leaky a state as to require to be hove down and have two new lower masts.

92. Notwithstanding the messages I had sent to Captain Kent he became a member of their Criminal Court.

93. It will appear from what I have related of the transactions of the 26th of January that McArthur and Bayly had the chief consular command at the Government House on that evening. At the time of McArthur's liberation from gaol he said, in the hearing of Ryley, the jailor, "Now the last card is played." When he parted from the Government House and went to the parade he enquired where was Mr. Gore, the Provost-Marshal, and on being told that he had been taken to his own house he said, "Send him to gaol immediately"; and it was done accordingly. Macarthur and Bayly in command.

94. It now became evident that McArthur was, privately, the director of every measure, and that he had unbounded influence over Major Johnston; but that he might exercise his power in a more public manner, it was necessary he should take some official situation. In order to enable him to do this it was thought proper he should be acquitted of the crimes with which he had been charged. Major Johnston, therefore, by his precept convened a Criminal Court on the 2nd of February, the members of which were Charles Grimes, their Judge-Advocate, Captain Anthony Fenn Kemp, Lieu't Wm. Moore, Lieu't Thos. Laycock, Lieut. Wm. Minchin, Lieu't Wm. Lawson, and Lieu't Cadwallader Draffen, to try John McArthur, Esq., on the indictment preferred against him by Judge-Advocate Atkins.* Macarthur's influence over Johnston. His trial.

* See the proceedings of this trial, ante, p. 465 et seq.

1808

30 June.

Macarthur's
trial a
foregone
conclusion.

Macarthur
acquitted.

Rejoicings
of his
partisans.

The
Chaplain
suspended.

A thanks-
giving
service.

95. The loyal persons who would have attended at this trial were subpoenaed as witnesses merely to keep them out of Court, for few of them were examined, and any other persons of whom they had any suspicion were literally turned out of Court. But it was easy to foresee what would be the event of this trial, when the persons who sat as judges had contributed their joint efforts in perpetrating the crime to which the charges laid against him were only an incitement. As they by their actions approved of overthrowing His Majesty's Government, his offences would, of course, to them appear meritorious. Through the whole it appeared they were trying the Governor and that McArthur, instead of being prisoner at their bar, directed the prosecution, for he brought forward my letter-book—which contained my correspondence with the Secretary of State—out of which he read such passages as suited his designs, and audaciously browbeat and interrogated my secretary to divulge all conversations he might have heard me enter into, in which he was supported by the lawless members of that tribunal, who at last acquitted him on the evening of 6th February. Immediately after, a great number of soldiers assembled as a mob, and with Sergeant-Major Whittle at their head carried McArthur in a chair fixed on a stage which they bore on their shoulders in triumph, with loud huzzas, round a part of the town of Sydney. His Majesty's ship Porpoise, then under Acting-Lieu't Symon's command, gave three cheers. Late in the evening McArthur's agents and those of the New South Wales Corps, by allurements and threats, produced a general illumination, the bells rang in the church steeple, and eleven guns were fired in an adjoining cove, as I believe, on board the schooner Parramatta, belonging to McArthur.

96. As the Rev. Henry Fulton showed a public and pointed disapprobation of their measures on the evening of the 26th January, and when examined before their committee showed no disposition to yield to them, orders were issued, thro' Major Johnston, that he should consider himself as suspended from his office as Chaplain. McArthur, as ordinary, introduced a prayer for Major Johnston, styling him the L't-Governor, into the Liturgy—the same as that formerly used for the Viceroy of Ireland. Crook, a missionary, was appointed to perform Divine service on Sundays, and to baptise; and Charles Grimes, Surveyor-General, Captain Anthony Fenn Kemp, and Ensign Archibald Bell were ordered to perform the ceremony of marriage.

97. A General Order* was issued that all officers should go to church on Sunday, the 31st of January, and it was expected that every well-disposed person would attend to return thanks to Almighty God for their deliverance on the memorable 26th January; in consequence of which the New South Wales Corps went to church with their officers, in military order, under arms and colors flying. Major Johnston, McArthur, and all the junta, with their ladies, accompanied them.

* See the Order of 30th January, 1808, ante, p. 458.

98. Among the numerous alarming and terrific reports and orders that were given out every day, on Monday, the 8th February, in the morning, at a time when the soldiers and townspeople were filled with spirituous liquors, the bellman was ordered to cry through the streets that a meeting would be held in the church at eight o'clock at night. At the hour appointed the church was crowded with soldiers and the disaffected party, of whom the chief were Lieut. Wm. Minchin, L't Wm. Lawson, Mr. D'Arcy Wentworth, Edward McArthur, Gregory Blaxland, Lieut. Wm. Moore, John Harris (Surgeon of the New South Wales Corps), Thomas Jamison (Principal Surgeon), Doctor Townson, Isaac Nichols, Henry Kable. Besides these were Nicholas Bayly and Garnham Blaxcell, who, assisted by Simeon Lord, proposed that a sword should be voted to Major Johnston, not under the value of one hundred guineas, for the wise and salutary measures which he had adopted to suppress the tyranny which had ruled this country, and with it an address of thanks for his manly and spirited conduct on the 26th of January; that an address of thanks should be presented to the New South Wales Corps for their spirited and manly conduct on the same day; that an address of thanks might also be presented by the inhabitants of the town of Sydney to Jno. McArthur, Esq., as having been chiefly instrumental in bringing about the happy change which took place on that day; and likewise that a delegate might be appointed to be sent to England to state to His Majesty's Ministers those grievances the inhabitants of this colony laboured under during the administration of Governor Bligh and to pray redress.

1808

30 June.

A public meeting.

A sword to be presented to Johnston.

An address to the Corps, and to Macarthur.

A delegate to be sent Home.

99. They then asked who should be appointed. Some insignificant person said John McArthur, and he was accordingly sent for. He immediately came, and in very studied language described what he called the injuries which he had received from His Excellency Governor Bligh and the Bench of Magistrates, telling the people that they then beheld a man who had nearly fallen a victim to a band of bloody-minded and bloodthirsty butchers, villains who wanted to drink his blood, and farther using the most scurrilous language against the Governor and Bench of Magistrates, comparing them to nothing less than a parcel of assassins. He said that plans, the most diabolical, had been laid with such damnable craft that they could not have failed to overwhelm him in total ruin and destruction had it not been for the timely interposition of Divine Providence in rescuing him from the malice of his enemies, at the same time using such pathetic tones and gestures as he thought would most affect and delude the people who were around him. He farther stated that, notwithstanding the injuries he had received from the Governor and magistrates, *yet he did not wish a hair of their heads to be injured*. He then concluded by thanking the populace for the honor they conferred on him by appointing

Macarthur sent for.

He addresses the meeting.

1808
30 June.
—
MacArthur
agrees to
go Home
as delegate.

him their delegate, and said, however repugnant it was to his wishes to embark for England at that time, and notwithstanding his want of capacity to fulfil the arduous task imposed on him, yet in gratitude to his friends he would devote the last hour of his existence to their service, would immediately settle his affairs, proceed to England, and lay before His Majesty's Ministers the very heavy grievances under which the inhabitants of these settlements laboured during His Excellency Governor Bligh's administration that they might be redressed.

His expenses
to be
defrayed.

100. Mr. Garnham Blaxcell then arose and proposed that a subscription should be opened for the purpose of defraying their delegate's (John McArthur, Esq.) expenses in proceeding to England and accomplishing his undertaking. On this Mr. John Blaxland stood up and proposed that a service of plate should be presented by the inhabitants to the officers of the New South Wales Corps, for the use of their mess, as a testimony of their gratitude and respect for their very spirited, manly, and patriotic conduct on the ever memorable 26th January, 1808.

101. In consequence of Mr. Blaxcell's proposal, a subscription was opened and, as I am informed, the following persons voted the sums as here expressed against their names, and at the same time signed a paper—of which the enclosed is a copy :—

| Amounts
subscribed. | £ s d | | | £ s d | | |
|------------------------|----------------------|-----|---|-------|---------------|------------|
| | | | | | | |
| | Lord, Kable & Under- | 500 | 0 | 0 | Rosetta Marsh | 20 0 0 |
| | wood. | | | | Mary Skinner | 10 0 0 |
| | Nicholas Bayly | 100 | 0 | 0 | Edward Wills | 30 0 0 |
| | John Blaxland | 200 | 0 | 0 | Danl M'Kay | 10 0 0 |
| | Gregory Elarland | | | | Wm. Evans | 5 5 0 |
| | Garnham Blaxcell | 100 | 0 | 0 | John Redman | 10 0 0 |
| | Eber Bunker | 20 | 0 | 0 | John Gowen | 10 0 0 |
| | Elizabeth Driver | 30 | 0 | 0 | | |
| | Isaac Nichols | 50 | 0 | 0 | | |
| | | | | | | £1,005 5 0 |

No money
raised.

102. Notwithstanding this subscription, report says that not a farthing has been realised, and it seems to be confirmed, for McArthur disgusted the principals and became afraid of going to England, as it will appear hereafter, by his putting himself in office. The night ended in a great scene of drunkenness, during which, altho' some horrid act was every hour expected to happen, yet it did not take place, notwithstanding McArthur indirectly recommended it in his address to the people, and the time was so propitious to his plans.

The case of
D'Arcy
Wentworth.

103. It will appear in my despatches by the Duke of Portland* that I suspended Mr. D'Arcy Wentworth, assistant-surgeon, and gave my reasons for so doing. The rebels who had seized my papers and read my representation concerning him, sent him a copy, and in order to clear him of the accusation there contained contrived that he should be tried on those charges by a Court-Martial. On this occasion Major Johnston applied to me on the 9th of February

* See Bligh's letter of 31st October, 1807, ante, p. 308.

to know if I had any other evidence besides Oakes and Beldon, whom they discovered by my papers to have given me the private information I had concerning him. To this I replied that my letter to His Majesty's Secretary of State contained the charges I preferred against him. Nevertheless, they presumed to bring him to a Court-Martial, acquitted him, and Major Johnston restored him to his situation.

1808

30 June.

104. In a similar manner they extracted out of my despatches what I had represented against Mr. Thomas Jamison, Principal Surgeon, and sending it to him, they also wished to bring him to trial, and wrote to me requesting that I would be pleased to specify what offence Mr. Jamison had committed, and that when he was acquainted with the particulars of my charges, I should be at liberty to proceed to the proof of them in any manner I might most approve. In reply to this, I observed that the private communication of my letter to the Secretary of State respecting Mr. Jamison I referred to the decision of His Majesty's Ministers, to whom he might apply.

The case of
Thomas
Jamison.

105. On or about the 15th Feb'y a printed order was stuck up to this effect :—

“JOHN MCARTHUR, Esq., is appointed Secretary to the Colony and magistrate, and all applications are to be made to him. It is to be observed that no emolument is attached to either situation.

Macarthur
appointed
Secretary.

“By command of His Honor the Lieutenant-Governor

“(Signed) NICHOLAS BAYLY,

“Secretary.”

106. This declaration is truly insulting when we consider the conduct of McArthur and Major Johnston, who is only his instrument. By this appointment McArthur has become the sole manager of the colony. He has given every lucrative situation to his creatures ; he has issued the stores wantonly to his own and their private purposes ; has given away and disposed of Government cattle to persons greatly in his debt, so that the profits of them will finally return to himself ; he has renewed and given away several leases of places in the town to his party ; he is employing in his own and their private concerns, artificers, labourers, and Government cattle ; he has let out Government factory ; he has even sold from the store three pair of mill-stones which I intended for the out-settlements, and taken two pair of them to himself, as likewise thirty stand of arms, which there is no doubt have been sent in the Parramatta, his schooner, to barter for pork in the South Seas ; and his and their vessels have been fitted out with anchors, cables and canvas, sails, and other articles necessary for His Majesty's ships and vessels here. He has dismissed Mr. John Jamieson, superintendant of Government stock, as appeared by his (Mr. Jamieson's) letter,* on account of his having refused to remove the Government herds to Broken Bay, where there is scarcely anything but rocks and barren ground, in order that his own

Johnston
merely
Macarthur's
instrument.

Macarthur's
alleged ap-
propriations

The super-
intendent
of stock
dismissed.

* See Jamieson to Bligh, 28th April, 1808, ante, p. 606.

- 1808
30 June. cattle might have the entire range of Government ground in the neighbourhood of Parramatta. As a further insult to Government, he has sold a large ten-oared boat, which had been kept for the Governor's use, and has let out the garden of Government House at Parramatta, by which the Governor's table was in part supplied, and the premises are become degraded. He will, perhaps, state for Major Johnston that this is all done to procure money for public uses, as no one will take their bills; but there would have been no occasion for this ruinous system had I been in power, and therefore it is an highly additional offence to the subversion of His Majesty's Government. McArthur has issued many licenses for selling spirituous liquors to persons, some of whom are well known to sell spirits for him and his party. The worst of characters have erected signs to denote their authority for vending those liquors, among whom a ferocious and merciless gaoler, Daniel McKay (who was reinstated in that office, from which, out of motives of humanity, he had been dismissed) erected one having on one side an Highland officer emblematic of Major Johnston, with one foot on a snake and his sword thro' it, to whom a female figure is in the attitude of presenting a cap of liberty. On the reverse of this is printed, in large characters, "The ever memorable 26th of January, 1808." In the house of one John Driver is painted, on one side of his hall, in large characters, "Success to Major George Johnston; may he live for ever! Our deliverer and the suppressor of tyrants." One John Reddington, a disaffected Irishman, has the sign of the harp without the crown; and one W'm Evans, formerly a servant of McArthur's and Blaxcell's, and since the 26th January, appointed their Provost-Marshal's bailiff, has erected a sign representing King Charles the Second in the oak on one side, and on the other is painted, in large characters, "The ever memorable 26th Jan'y, 1808."
- Retail spirit licenses.
- Hotel sign-boards.
- An American vessel
- seized for alleged smuggling.
107. I have already mentioned (in paragraph 18)* that the American ship, Jenny (Captain Dorr), was in the harbor, and that I could not permit her to sell any spirits. She sailed on the 8th Feb'y for China, but was so suddenly sent out of the port, on a pretended suspicion of smuggling, that she could not stow her cargo, in consequence of which was obliged to put into Broken Bay. This had no sooner become known than McArthur asserted she had returned to smuggle, and persuaded Acting-Lieutenant Symons to seize her as a prize for the Porpoise—which he did—and brought her back here on the 16th. On the 22nd a Court of Vice-Admiralty was held, by a precept from Major Johnston, as here enclosed, to decide the case, of which Captain Abbott was judge, Chas. Grimes, registrar, Nicholas Bayly, marshal, and Garnham Blaxcell, the partner in trade with McArthur, acted as agent for the prosecutor, Symons. In the course of the trial an altercation arose between Mr. Blaxcell and Captain Abbott, on

* See the paragraph referred to in letter of 30th April, 1808, ante, p. 612.

account of which the former left the Court and McArthur took his place and brought with him my private instruction from His Majesty's Ministers, reading aloud such parts of these instructions as related to the importation of spirits into the colony; and also read that part which related to the Americans with respect to trade, and thereby impressing on the American masters and men an idea of the intentions of His Majesty's Government being unfavorable to them. After all, the ship and cargo were restored to Captain Dorr, who, feeling himself much injured, has appealed to the High Court of Admiralty, and left it with his agents to be sent to England. The inclosed information* has been sent to me, and I beg leave to recommend it to your perusal, as it is a fair description of the characters it notices, and shows that Major Johnston and other officers of the New South Wales Corps had used every underhand means to smuggle the whole of the spirits from this ship previous to the 26th January. Since that time there has been imported here 48,710 gallons of wine and 12,650 gallons of spirits, to the manifest injury of the colony.

1808

30 June.

Macarthur
acts as
prosecutor.The vessel
restored.

108. Among the extraordinary circumstances which have taken place under the present ruling power, it is conducive to general information to mention that a brig, called the Harrington, William Campbell, master, which arrived on the 30th March, and was equipped and ready for sea (lying a little without the cove) was taken possession of and her crew turned on shore by a prisoner called S—— (a determined man, who had frequently endeavoured to leave the colony in open boats, and in consequence was put to labor in the gaol gang, but after my confinement was liberated) and about forty other convicts, who carried her to sea on the 16th May and have not since been heard of.† This was a well-known vessel, which I found here on my arrival in the colony, for she had been detained by Governor King for piratically taking two Spanish vessels on the coast of Peru. I brought out orders for her release and she was given up accordingly, and sailed on the 28th January, 1807. During her detention the House of Chace, Cheney, and Company in India, to which she belonged, failed; and it appears, since her arrival this time, on the 30th March, that the master, instead of having proceeded to the port of Madras for the benefit of the creditors, connected himself with McArthur and proceeded to the Fiji Islands for a cargo of sandal-wood, and from thence to China, where he procured a valuable cargo in exchange; but as he then could not clear out for this colony, he sailed to Malacca for that purpose and brought the cargo to McArthur since my confinement. McArthur well knew, under these circumstances (particularly not having gone to her lawful owners), had the brig returned here while I had the power of acting, she would not have

Seizure of
the
Harrington.Ownership
of the vessel.Trading
with China.

* The enclosure is not available.

† She was captured by a man-of-war off the Philippine Islands in March, 1809.

1808

30 June.

been permitted to land her cargo. One would almost pronounce as a certainty from this circumstance that McArthur had calculated the exact time when the Government would be subverted, for the additional purpose of bringing on illegal communications with the East Indies.

Gore
imprisoned
by order of
Macarthur.

Brought
before
magistrates.

His trial
postponed.

Tried and
sentenced.

Gore's
defence.

109. I have said before (in the 34th paragraph*) that, on the night of the 25th of January, Mr. Wm. Gore, the Provost-Marshal, made oath that McArthur was out of his custody. It was in consequence of a pretence of this oath being false that he was ordered to gaol by McArthur on the night of the 26th. As this was done without any examination before a Bench of their Justices or committal, he was afterwards liberated, and on the 1st March was summoned before Mr. Jamison, Principal Surgeon, and John Blaxland, settler, who committed him to be tried by a Criminal Court for wilful and corrupt perjury. He gave bail, and on the 21st of March was brought before their Court, consisting of Charles Grimes (Judge-Advocate), James Symons (acting-lieutenant and self-created acting-commander of the Porpoise), Capt. Edw'd Abbott, Acting-Second-Lieut. Wm. Elleson, of the Porpoise, Lieut. Wm. Moore, Lieut. Thos. Laycock, and Lieut. Cad. Driffin, when he denied their authority as being convened by the precept of Major Johnston, who could have no authority to issue a precept without the death or absence of the Governor. They then put off his trial; but as he knew the charge was groundless, and that they only wished to harass him by it, he would not again give bail. On this they committed him to a cell of the common gaol, from whence many an unfortunate creature had been dragged to the gallows. There he lay until the 30th day of May, and then, without giving him any previous notice to summons his witnesses, as they had done before, they suddenly brought him to their Court-house, which was a military barrack. After some time, the Court met, consisting of Captain Anthony Fenn Kemp (their Judge-Advocate), William Kent (acting-commander of the Porpoise), Capt. Edward Abbott, Lieut. Wm. Moore, Lieut. Thos. Laycock, Lieut. Wm. Lawson, and Lieut. Cad. Driffin, all of the New South Wales Corps. The Judge-Advocate read the indictment. Mr. Gore denied their authority and refused to plead. The Court was then cleared, and on its reopening their Judge-Advocate pronounced sentence of transportation for seven years, and he was sent to the Coal River at Newcastle on the evening of the 4th of June, the anniversary of the birth of our most gracious King, leaving behind him his affectionate wife and four fine children, the eldest of whom is about eight years of age, wholly dependant on his friends for support. Thus they have treated a loyal officer of the Crown who had always done his duty with attention and great humanity.

110. For the farther illustration of this outrageous act, I recommend to your particular attention the inclosed copy of Mr. Gore's

* See the letter of 30th April, 1808, paragraph 34, ante, p. 615.

protest on the 27th of March,* and of the defence† he intended to have made on that day had they proceeded on his trial, together with the copies of his letters to me of the 31st May and 2nd of June.‡

1808

30 June.

111. Sir Henry Brown Hayes, a person under sentence of transportation, who had been living in a retired manner on a little estate about seven miles from Sydney, and who seldom came into town, being in the habit of conversing with the officers, and having expressed his loyalty and disapprobation of their measures, asserting they would be capitally punished for their traitorous acts, was likewise sent to the coal-mines. Thus, *in terrorem*, the usurpers held up punishment to those who dared to speak in favor of my administration against their treasonable practices; and notwithstanding the illegality of their Courts, they have condemned many persons and executed seven.

Sir Henry
Brown
Hayes.

112. On the 30th of March, Oliver Russell, master of the ship Brothers, while conducting a prosecution before their Court of Criminal Jurisdiction, consisting of Charles Grimes, as Judge-Advocate, Lieu't James Symons (self-created acting-commander of the Porpoise), Lieu't Wm. Moore, Lieu't J. Brabyn, Lieu't Thos. Laycock, Lieu't Cadwallader Draffin, and Ensign Archibald Bell, against John Blaxland, Gregory Blaxland, and Simeon Lord, for assaulting him on board his ship, received, together with his mate, a sentence of transportation during seven years for what they called perjury in their evidence. He and his mate were liberated from this sentence three days afterwards by a proclamation (a copy of which I here enclose§), authorised by Major Johnston, and signed "John McArthur, Colonial Secretary," on the ground of informality and illegality. On this proclamation being issued, their magistrates, Surgeon John Harris, Surgeon Jamison, Charles Grimes (surveyor), Lieu't James Symons, and Garnham Blaxcell (the partner of McArthur in trade), summoned Russell and his mate before them, when Harris, who was the rival of McArthur, having the strongest party on the Bench, committed them for trial at the next Criminal Court. On this, McArthur and Major Johnston dismissed Chas. Grimes as magistrate and Judge-Advocate, and Harris and Symon from the magistracy, and Jamison, from some reasons unknown, no longer continued to act, and the proceedings against Russell and his mate were then dropped. Russell went Home as master of his ship, taking with him Lieu't Wm. Minchin (and his servant, Marlborough), of the New South Wales Corps, who, it is said, carried with him duplicate dispatches from McArthur and Major Johnston of those which Grimes and Edw'd McArthur had carried with them in the Dart—all actually implicated in the rebellion. By the Brothers I wrote hastily a dispatch, dated the 30th April,

The case of
Oliver
Russell.Russell and
his first mate
committed
for trial.The Brothers
sails for
England.

* Ante, p. 551.

† See the enclosure, post, p. 678.

‡ Ante, pp. 648 and 650.

§ See the proclamation of 8th April, 1808, ante, p. 573.

1808 Mr. Campbell having thought of the means of its getting safe to
30 June. the Sect'y of State, by directing it to Mr. Wilson, merchant, in Fenchurch-street, under a cover as bills of exchange.

Books and
papers
seized and
detained.

113. Among the acts of these persons, some things seem to have been carried on with peculiar art and design. Their having deprived me and continuing to keep possession of all my books and papers put me in a situation in which I have nothing but my memory to assist me; and as they have the Commissary's papers also in their possession, they can make any representation they please without any present means in Mr. Palmer's power of proving their falsehoods. I have been led to this conclusion by a friend procuring a copy of an affidavit, which it is said is transmitted to the Sect'y of State. The falsehood and meanness of this document is manifest. It appears to be made by Mr. Fitz, Deputy Commissary, a creature of McArthur's, and one of the rebellious party.*

Bligh
charged with
appropriation of
Government
property.

It asserts, "that Governor Bligh received from the bonded store one pipe of port wine for his own private use, and that he (Governor Bligh) ordered a quantity of wine to be purchased from Mr. Campbell at the rate of three pounds per dozen for the use of the General Hospital, which wine was appropriated to his (Governor Bligh's) own use." The Commissary's accounts will show that before my arrival there had been a quantity of port wine sent out for barter which was distributed to the officers in pipes and cases. Governor King, expecting to be relieved, reserved one pipe for his successor, in case of accident, and on my arrival he directed it to be charged to my account, which the Commissary did. With respect to the wine purchased from Mr. Campbell by the Commissary it took place long after my arrival, from a demand made by the surgeon of the hospital, Mr. Jamison, who received it and gave his receipt. These circumstances I have taken notice of in order that the Sect'y of State may be aware of the misrepresentations these persons may make to him, sensible that His Lordship will oppose to them, in any reflections he makes, his confidence in the honor and dignity of my character and conduct, who, by justice and humanity, had brought the colony to a flourishing state, compared with what it was before.

He explains.

Robert Fitz.

114. Mr. Fitz, whom I have just mentioned, is living at the Hawkesbury, where he has been very assiduous in the service of McArthur and Major Johnston, particularly in framing addresses to the latter, which he ante-dates, approving in the highest manner of Major Johnston's conduct and reprobating mine. I here enclose a copy of one of these addresses which I have obtained, and was carried about for subscribers immediately after the 26th January† —a time of terror; as also the copy of a letter I received from Mr.

An address
to Johnston.

* See Fitz's depositions, ante, p. 446. Although sufficiently damaging to Bligh they were not so much so as the Secretary of State would be led to believe from Bligh's quotation—which is not a *verbatim* one.

† See this address of 30th January, 1808, ante, p. 458.

Arndell,* one of the subscribers, expressive of the state of his mind at the time of signing it. He imposes on the credulity of the poor settlers, and influences some to sign them. He has received a comparatively large proportion and choice selection of cattle from the Government herds since the 26th January, a part of which, as it is reported, is a present. The remainder, or the whole, he will be enabled to pay for in wheat and maize procured from the settlers by spirituous liquors, which he pays away to them in barter at an enormous price.

1808

30 June.

Cattle
received by
Fitz.

115. I hope no misfortune may have happened to my dispatch by the Duke of Portland,† as it contains every material information to the Sec't'y of State respecting the colony, and my plans put into execution respecting the evacuation of Norfolk Island. We had begun on this work, and it was going on so uniformly and gradually, with only the Porpoise, Lady Nelson, and Estramina, as did away every disagreeable sensation which lay on the minds of the people, who saw the necessity of leaving their habitations, which they had been so long accustomed to ; but after my arrest the work ceased until the City of Edinburgh, taken up for that purpose, sailed on the 26th of May.‡

The
evacuation
of Norfolk
Island.

116. The vessels I employed were to return here regularly every voyage they made ; so that I had it in my power to regulate and send the necessary supplies, so far as I was able, for the numbers each vessel took, and prevent any difficulties arising at the Derwent. But these precautions have not now been taken, and I very much fear that, employing so large a ship at this season of the year as the City of Edinburgh to take so great a number of persons at once to the Derwent, will cause much difficulty and distress, as it is almost impossible that Col. Collins will be able to provide for their security and health. This officer, I understand, has publicly disavowed the authority of the present rulers, and I beg leave to inclose copies of two private letters from him, the last of which is dated since my arrest, and the other on the day it took place.§ Both the Derwent and Port Dalrymple settlements were in a state of improvement and advancing with this part of the territory, but the unparalleled act of rebellion which has taken place is a very great check to them, and will, I fear, increase the public debt. Had the colony gone on in the way it was proceeding, every poor man would have paid his debt this year ; but what a melancholy reverse is now ! They will still remain embarrassed and require indulgence. At present not a person dares to speak, and their fears and anxieties are kept up by the soldiery, who give out as a cant phrase, "*the color of my cloth*," whenever it is required of them to say by what authority they make

Arrange-
ments for
removal of
islanders to
the DerwentIndebted
ness of
settlers.

* See Arndell's letter to Griffin of 11th April, 1808, ante, p. 574.

† See Bligh's despatch of 31st October, 1807, ante, p. 349.

‡ See Johnston to Castlereagh re removal of Norfolk Island settlers, ante, p. 592.

§ The letter of 26th January is not available ; that of 4th April will be found on p. 573, ante.

THE
 20. June.
 —
 His
 Excellency
 with the
 military

NOT BEHOLDING IT IN ANYTHING IMPROPER TO OTHER CLASSES OF PERSONS
 THESE THINGS ARE NOW DONE IN A CONSIDERABLE MANNER. WHILE THE POOR
 ARE NOT IN A MANNER A SUFFICIENT NUMBER: AND THE FRIENDS OF
 GOVERNMENT HINDER THE WORK BY A DEFICIENCY. THE INDIVIDUALS LAID
 IN HONOUR THEY OBTAIN HOW THEY OBTAIN AND AFFECTION THROUGH A
 PART OF THEIR TIME. IF I HAD IN NEED OF A DEFENSE, I NEED NOT
 HAVE A LETTER OF MY GOVERNMENT HAVING BEEN SATISFACTORY THAN
 THIS. AND THE AFFECTION AND FIRM ADDRESS PRESENTED TO ME ON
 THE FIRST DAY OF THIS YEAR. I WAS SENSIBLE OF BEING THE INSTRUMENT
 OF A SUFFICIENT DEFENSE AND IMPROVEMENT ON THIS POINT, AND ALTHO I
 COULD NOT EXPECT THESE THINGS TO TAKE PLACE, YET HAD I
 HAD THEM THEY WOULD HAVE BEEN EFFECTED. NEVERTHELESS THIS REBELLION
 WHILE IT IS CURRENTLY RISING ALL GOOD WILL I HAVE A FIRM BELIEF
 IN THE FUTURE OF THE FUTURE. IN A FEW YEARS THESE PEOPLE
 WOULD HAVE MADE THEMSELVES SUBORDINATE TO THE GOVERNMENT, AND REQUIRED
 A GREAT AMOUNT OF INSTRUCTIONS TO THEM: BUT NOW SUCH REGU-
 LATIONS AS CAN BE MADE AS WILL ENSURE THEIR FUTURE OBEEDIENCE. THE CIVIL
 POWER WILL BECOME TO BE PUT ON A FIRM BASIS, REGULATED BY PROPER
 LAWS AND THE MILITARY TO BE DISCIPLINED AND FREQUENTLY EX-
 HIBITED FOR OTHER THINGS. I THINK WHEN THE FEW TURBULENT PERSONS
 SUCH AS M. ARTHUR, WHO PARTICULARLY ASPIRES TO THE GOVERNMENT, AND
 HAS BEEN A MILITARY OFFICER TO ATTEND HIM AND LIGHT HORSEMEN WHEN
 HE RIDES INTO THE COUNTRY, ARE MADE AN EXAMPLE OF, ALL WILL BE WELL.

FROM THE
 MOUNTAIN.

A CONSIDERABLE
 NUMBER.

17. When in my dispatch of the 31st of October last, I spoke
 of the New South Wales Corps, I said that I think that the principal
 cause of the rebellion in support of my position—is becoming a dangerous
 matter—would have so soon been extinguished.

ANOTHER
 PART OF
 THE

18. Having received no information from Major Johnston as to
 his intended respecting me, in consequence of the return of His
 Majesty's ship *Porpoise* from Port Dalrymple, on the 25th of last
 month, I wrote a letter to him on the 15th instant, stating I had
 been in daily expectation of receiving some notice from him respect-
 ing the *Porpoise* and *Pacific*, on which he had before written to
 me, his friends were interested. After some days he answered; that
 he had deferred coming to any determination until the arrival of
 Lieutenant Foreaux, who was daily expected as a ship called the
Charleston from England, which arrived here on the 22nd, had
 brought an account that he was on his voyage hither. Report
 states that Lieutenant Foreaux was in the *Lady Sinclair* and had
 another ship with him, called the *Recovery*, and that they had
 about two hundred troops on board.

John
 Macarthur

19. I feel great regret at the length of this dispatch, but the
 importance of the subject and this momentous occasion require that
 nothing should be omitted which can in any way develop the
 designs of these persons. The extraordinary Hydra of New South

* Ante, p. 15.

† Ante, p. 155.

‡ Not available.

§ Not available.

Wales, differing only from the mythological description of that serpent by affixing six of his heads on the shoulders of others he had prepared for them,* induces me to add still farther some marks of his character. Before I took command of the colony, great ill-will had subsisted between the Government, the military officers, and this McArthur. With the settlers and people he was the most hated person it is possible to conceive. The first address presented to me was signed by Major Johnston "for the military," Mr. Atkins "for the civil," and McArthur "for the free inhabitants," expressing their affection and loyalty.† I received it as such, and published it. Shortly after I was surprised by receiving two addresses—one‡ from the Hawkesbury, and the other§ from Sydney—disavowing their having any knowledge of an address under the signature of McArthur, a person whom they reprobated and considered unfit to communicate their sentiments on such an occasion. In order to promote harmony and good-will, and cause all rancour to cease, I did not publish these oppositions, but on the contrary, recommended, and I thought effected, a reconciliation among the people to give another trial of the person they so openly disapproved of. They did this with great good nature to the hydra I have represented, and not one but himself could have committed such offences in return as he has been guilty of—a man who had received such gifts from Government he has, and might have lived in affluence and comfort, if he had possessed a good disposition. Beside the addresses I have here alluded to I also inclose the copy of one from the settlers to Major Johnston, showing to that moment their disapprobation of McArthur's principles and conduct||; a copy of one said to have been transmitted to Lieu't-Governor Paterson by the Porpoise,¶ showing their disapprobation of my confinement, of the confusion that reigns in the colony, of McArthur being at the head of affairs, and promising the Lieu't-Governor their support in placing them again under the protection of the King and the laws; and a copy of one from the loyal settlers at Baulkham Hills, who came out as free settlers from England,** intended to have been presented to L't-Governor Paterson on his arrival, promising their support in giving full satisfaction to me and to the Government of our most gracious Sovereign in this colony, for the gross insult and injury done in the arrest of my person, whom they revered, and expressing their confidence in him that he would take prompt and effective means to secure the principals in this most unjustifiable transaction; also a copy of one†† to him to the same effect from some of the loyal settlers at the Hawkesbury, who likewise came out as free settlers. I further inclose two grateful addresses to me from the settlers—

1808

30 June.

Addresses presented to Bligh.

Macarthur and the free settlers.

Addresses to Johnston and Paterson.

Free settlers at Baulkham Hills

and the Hawkesbury. Two addresses.

* The allusion is apparently to the six officers who composed the Criminal Court summoned to try Macarthur.

† See this address, ante, p. 165.

‡ Ante, p. 190.

§ Ante, p. 188.

|| Ante, p. 537.

¶ Ante, p. 596.

** Ante, p. 636.

†† Ante, p. 635.

1808
30 June.
An Irish rebel.

the one on account of the encouragement I gave to the cultivation of grain,* and the other on the suppression of an intended insurrection at the beginning of last year, requesting the ring-leaders to be disposed of so as to prevent future troubles.† The chief of this conspiracy, Dwyer, who was banished to Norfolk Island, and was to have been kept at the Derwent, has been sent for by the present rulers—an extraordinary circumstance, for which no reason can be assigned, unless they propose by their indulgence to him to induce him hereafter to unite with his old party in an opposition to Government should they feel his assistance necessary.

Bligh
a prisoner.

120. I shall now conclude with observing to you that I am ignorant of what their real intentions are with respect to myself. I am still kept a prisoner to this house under various pretences, as I have already stated, by their sentinels, one of whom, when I walk in my garden, always follows me at a short distance.

I remain, &c.,
W^M BLIGH.

[Enclosure.]

Gentlemen, GORE'S INTENDED DEFENCE.

Provost-
Marshal
Gore.

I am indicted for having committed wilful and corrupt perjury, and I am now on my trial. I shall occupy as little of your time as is consistent with the duty I owe to myself, to my family, to my character, and to public justice.

The juris-
diction of
the Court.

In the first place, I shall ground my defence on a denial of the jurisdiction of the six members who were convened by His Excellency Governor Bligh's precept, for the purpose of their constituting a Court of Criminal Jurisdiction; for as they refused to swear His Majesty's Judge-Advocate a member of such intended Court, they never had existence as a Court, they being defective of their principal member as prescribed by law; and in law it is laid down as an irrevocable maxim, that when an Act of Parliament designates or marks out the specific number of persons who shall act, preside, or are to adjudicate in any judicial proceedings, it shall never consist of less or fewer than such designated number; and the Act of Parliament on which the patent for establishing Courts of Criminal Jurisdiction in this country is founded, declares in specific terms that such Courts shall consist of six officers of Her Majesty's sea and land forces, and of His Majesty's Judge-Advocate for the time being, it follows, *a fortiori*, that such six members possessed no legal authority to take the prisoner out of my custody, and to render him to his former bail. Should it nevertheless be insisted that they were invested with such authority, I, however, object to the determination, it being a point on which, if any possible doubt can exist in the minds of dispassionate men, cannot be decided here, and must be referred to His Majesty's Ministers for their instructions respecting it.

* Ante, p. 237.

† Ante, p. 257.

I contend they were not vested with such authority, for when the prisoner appeared with his bondmen at the bar of the Court before which he was to be tried, the bond became null and void, his former bail were no longer responsible for him, they were free from the condition and obligation of the bond, and the prisoner was then in my custody ; and if the Court afterwards, on application from the prisoner or his counsel, was inclined to indulge him with bail, it could not be granted without the consent of the prosecutor or his counsel ; but even in that case the new bail bond should have been given to me, for I alone was answerable for the prisoner's appearance when he once came with his bail into Court ; but the prosecutor or his counsel were not applied to for their consent—no fresh bond was exacted from them or given to me. I was not their officer, they had no legal existence as a Court, and my duty directed me to disclaim their authority.

1808

30 June.

Macarthur's bail.

If, however, they were a Court, I have now proved without a chance of being refuted, that they could not re-deliver the prisoner to his former bail, as he was then in my custody, and he or his bondsmen did not express a desire to enter a new recognizance to me. I therefore still considered him in my custody, from whence, when he withdrew himself, he was in law guilty of an escape, and by virtue of my office I was armed with full and sufficient authority to pursue and re-take him ; but Governor Bligh, from his uniform disposition that the law should be literally complied with, desired my authority should be supported by an escape warrant, which was granted unto me under the signatures of four justices. However, before such warrant was granted, my deposition that the prisoner, Mr. McArthur, was not then in my custody, or in any other custody that I knew of, was necessary. I therefore made an affidavit of its truth—I was then, and I am still justified by the law—and the fact, which I shall prove by evidence, and from the most incontestible authorities. Even allowing, for argument's sake, that the six members had legal authority to deliver the prisoner, without a bond, to his former bail, I acted legally, because I positively swear that I never knew he was delivered to his former bail ; and as to my assent by a *nod* or a *bow*, I did not understand that a delivery of the prisoner to bail was the purport of Captain Kemp's address to me ; but to admit a *nod* or a *bow* as evidence in a Court of Justice would, I make no doubt, be deemed a novel, a ridiculous, and too dangerous a precedent for, in law, to convict a man of perjury. A probable evidence is not enough, but it must be a strong and clear evidence. A *bow* or a *nod* has not even the strength of probability ; they are at best merely conjectural, and are so wholly undefinable as to allow of all persons, according to their various interests and pursuits, to attach what meaning they please to them. But, gentlemen, it would be an abuse and a waste of your time, and an

The escape warrant.

The charge of perjury.

1808
30 June. imposition on your understandings, to delay you longer on this subject. I shall, therefore, only observe that in law they cannot be admitted as proof against me.

Gore's
defence.

With respect to Captain Kemp's testimony,* I most solemnly swear that I never heard him express himself to the effect he has sworn, and against his oath is the direct evidence of Mr. Griffin. And besides, it being physically impossible, by any evidence, however strong, to prove that I heard the words so sworn to by Captain Kemp, as spoken by him to me, I humbly submit to you, gentlemen, that I have not sworn a false oath, nor am I guilty of wilful and corrupt perjury; for, according to Hawkins, 172, though I might be in error I was not, however, guilty of perjury, wilful or corrupt, because "when a person even swears falsely, if he mistook the true state of the question, it is not perjury." But, gentlemen, although I have deliberated to this moment on the oath I have taken so far back as the 25th of January, I am still firmly persuaded and convinced that I was not in error, for the prisoner. Mr. McArthur, was not in my custody, nor in any custody that I know of at the time I made a deposition to that effect; but he could not be in custody of any other person, without his executing a legal bond to me.

His duty as
an officer of
the Crown.

Lastly, gentlemen, as in civil cases I am answerable to the party injured, so in criminal matters to the Crown. Had I, of my own mere descretion, any right or the authority to permit the prisoner, Mr. McArthur, to be delivered to his former bail without observing even the formality of a bond? Would I not have exposed myself to a prosecution at the suit of the Crown? And would I not be indebted to the lenity and forbearance of His Excellency Governor Bligh if he did not instantly, on the affair coming to his knowledge, place me under an arrest, and call a Court-Martial on me if my offence were a military one? Or would he not, put the question in any point of view you chose, have suspended me for incapacity, for a shameful neglect of my duty, and for a breach of his orders? This last is a more convincing argument than I have yet used of the folly, of the absurdity, and of the wickedness of the prosecution that has been instituted against me; it is a certain and positive proof that the design of the prosecutor has originated in motives dishonourable to himself as a man, and in every respect repugnant to the principles of common sense and common honesty. Permit me, gentlemen, to ask you where is the officer of the Crown who would venture on so hazardous an enterprise as the execution of this duty, if for the performance of it he was threatened with a prosecution, intended ultimately to affect his life, his character, and his honor; and if every ignorant and discontented caviller and ruler against the Government was not only secretly encouraged but openly supported in instituting such vexatious, harrassing, and unfounded prosecutions!

* See Kemp's deposition, ante, p. 530.

Let me again, gentleman, call your attention to the last argument I have adduced, and ask you, had I pleaded ignorance to Governor Bligh that such a bond was necessary to be executed to me, would not His Majesty's Ministers, on the matter being reported to them, approve of my suspension and deservedly deprive me of my appointment for incapacity? And if from motives of interest or favor I had consented to the prisoner's returning to his former bail, would I not meritedly, in the eyes of His Majesty's Ministers, and of all faithful and honest servants of the Crown, incur the base censure of a venal officer, too corrupt to hold an honorable commission?

1808

20 June

GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.*

Government House, Sydney,

My Lord, New South Wales, 30th June, 1808.†

The despatch which accompanies this letter contains the substance of one which I hastily wrote and sent by the Brothers on the 30th April‡ but more fully detailing the enormity of the rebellion of the New South Wales Corps against me, their Captain-General and Governor-in-Chief, and the civil power of this colony, together with other circumstances which have come to my knowledge in the course of this interval under my unparalleled situation.

The arrest of Bligh.

A large ship called the Dart sailed from hence a fortnight before the Brothers; but that ship was so much in the interest of McArthur, and Charles Grimes, the Judge-Advocate of their Criminal Courts, McArthur's son, both implicated in the rebellion, going passengers in her, that I was constrained to forbear writing by her, being assured that, through the vigilance of our enemies, my despatches would have been secretly relanded and given to the rebels. I was the more ready to believe this, knowing the infamous transaction of Governor King's despatches on the occasion of troubles he had in this colony with McArthur, being stolen, and when the box which had contained them was delivered at your Lordship's Office filled with old paper.§

Departure of the Dart.

As the Brothers took Home Lieutenant Minchin, of the Corps, and his servant, called Marlborough,|| two noted characters in the rebellion, I had some doubts of writing by her; but I got Mr. Campbell to convey my despatch by the master as a packet of merchantile accounts and bills of exchange, and for which he got a receipt. I have made many reflections on the criminality of the messengers sent Home by Major Johnston, and I trust that

Bligh sends his despatches by a ruse.

* This letter was marked "Secret."

† Although dated 30th June, 1808, this letter did not leave Sydney until 15th September following, when the *Rose* sailed carrying Bligh's further despatches of 31st August, 1808—post, p. 700.

‡ Ante, p. 607.

§ See vol. v, p. 135, and note.

|| Marlborough was the soldier who deposed (ante, p. 575) to having dragged Bligh from under the bed.

1808

20 June.

the act of bearing the rebels' despatches will cause their imprisonment, in order, at least, to answer for their rebellious conduct in this colony, if not for their arraignment on their arrival in England.

The charges
against
Bligh.

The supporters and abettors of the rebellion, as they now are or may hereafter be found, will, I am fully confident, be brought to a most serious and immediate trial. Their charges against me I consider barely deserving my notice; but the factious and rebellious manner of making them is a public concern to this colony. I might give many proofs of my judgment and zeal for its welfare, of which for sixteen months they had been reaping the fruits, but I forbear, as it would be departing from my character. Where I am materially accused, there I shall be ready to produce a defence of my conduct; but that must be on a complaint of the people and not of such rebels.

Antici-
pating
Macarthur's
line of
conduct.

I have no doubt, my Lord, that you will have memorials drawn up by McArthur expressive of my severity, and perhaps incompetency to govern, expressing the cause of integrity, innocence, and abilities on his side; but he has certainly inveighed the New South Wales Corps and some poor thoughtless creatures to get into his debt (from a lust of spirituous liquors), and thereby becoming dependant on him, they lose their liberty by a gaol, or become his immediate vassals, and do as he directs them. I am far from thinking that if the Corps felt themselves aggrieved they were not entitled to lay their case before His Majesty; but they cannot be competent judges of my duty, and therefore, under the high authority by which I held my Government, their guilt is the greater in taking it from me. Added to this, they have induced persons by threats or promises to sign to the rebellious act after it was perpetrated, thereby subjecting these poor people to a trial for an offence of which they had no knowledge beforehand. But it will not escape your Lordship's observation that I am among convicts, emancipated persons, and settlers from England, and on an aggregate computation nearly ten thousand souls, and yet nothing but good-will and confidence in me have appeared but in the military officers, McArthur, Bayly, and a few interested individuals. Under no Government which I might have had the honor to hold, would I have allowed to my person unbecoming familiarities or disputation; but it was peculiarly my duty to support such dignity in this colony, in order to my being considered an individual in whom honor and the interests of the state were preserved, and justice and moral duties were exemplified. This has been a great shock to the persons I have noticed in the rebellion, who, through ambition, rapacity, and an unwarrantable desire to acquire wealth in an instant (which few can or ought to possess), aiming only to be rich by the poverty of others, without the merit of any social duties to their neighbours, together with

Redress of
soldiers'
grievances.

A handful
of malcon-
tents.

"The root
of the evil."

habits of disrespect and many insults to their former Governors, have brought to issue in good time what is to be the remedy to so malignant and contagious disease.

1808

30 June.

The military and the Navy, from their long stay in the colony, get sadly taken up in convict connections which produce loose principles and debaucheries, to the great infringement and detriment of moral society ; it has likewise caused neglect equal to a dereliction of their duty ; and when officers of Army or Navy become settlers, or enter into pursuits out of their line, they blend their private concerns with their public service, and become opposers to the Governor's measures, instead of defending them as they otherwise would do if they confined themselves to their respective ranks and stations. It is, therefore, highly advisable to remove the troops at certain periods—it is absolutely necessary to the success and stability of the colony—for these people already think they should have the government in their own hands ; and such as McArthur consider themselves aggrieved that appointments should be sent out from England, while, in his idea, all places of trust and confidence should be given to persons who are resident in the colony. Under this incendiary way of acting, he has produced all the mischief which has happened ; and, like being intoxicated with hopes of having power, he has already shewn his expectations of rising to entire controul and authority. At this time it would effectually destroy the very principles of amnesty on which industrious persons look to the oblivion of all past offences, and where, as the Recorder of Bombay has lately declared in his sentence on a criminal, they may venture to hope for a life of tranquility and usefulness, and even for the possibility of acquiring esteem.

Servants of
the Crown
as settlers.

Evils of a
permanent
guard.

The
influence
of John
Macarthur.

Besides the changing of the military, there should be two vessels of war here, to be relieved in turn every three years. The greatest benefit would result from this system, both as to the order of the community and the shipping, and enable the Governor to send Home at a moment an account of any transaction which the public service might require.

Two
men-of-war
necessary.

Another part of the task which seems necessary to the welfare of the colony, is to keep the military distinct from the civil power and Courts of Justice. It is that which is the wish of the people, and will prevent the sudden growth of private fortunes by the barter of spirits and monopolizing of grain ; will cause the settlement to be supplied with men more moderate, or less eager in the pursuit of wealth, and who will have a lasting attachment to it.

Confusion of
civil and
military
powers.

I beg leave, my Lord, under an impression that you may expect some opinion of mine as to the most effectual and ready means of bringing these people to an account, to offer with the greatest deference to your Lordship's consideration, in the first instance, to remove the New South Wales Corps into the ships in which other

Bligh's sug-
gestion for
trial of
officers.

THE
21 JUNE.

troops may be sent out to supply their places : and secondly, to have a commission of law officers ready to judge of the whole transaction. Removing them to England would be the means of losing very material evidence, and in that case it will be absolutely necessary for some eminent gentlemen of the law to come here to examine the witnesses who are the most necessary. Nothing so serious can be entailed on Mr. Atkins, who has evinced his weakness by endeavouring to get appointed as Judge-Advocate with the present state, but who have thrown him off to his very great misfortune.*

WITNESSES
THE JOURNAL
SAIL.

LOVELL OF
THE SAILORS.

A consideration of importance which appears also to me, is how the witnesses may be allowed to be produced on the side of the persons concerned in such a country as this, on their part, the greatest solicitation will take place. Convicts have been allowed to act as witnesses in particular cases : but under the present consideration where pecuniary may be a part of their tenets, perhaps attention to justice may be objected to. If the New South Wales Corps is deprived of doing the settlers and others any mischief, I am confidently assured they will all come forward to express loyalty and affection, and as may be seen by their addresses; therefore the arrangement which may be thought necessary to send out is only such as to act against the troops. I recommend that the ships should all rendezvous at the Derwent, where they will be informed of the state of the colony by Lieutenant-Governor Collins, and from whence proceed together here. It may be advisable to let all the ships in all vessels they find there. Your Lordship can hardly have a conception of the present rulers, for I do assure you they would if they procured a communication with any troops without being against them, prevent their acting conformably to their orders, notwithstanding the utmost vigilance and determination of the officers. I am deprived of all power, and peculiarly watched and guarded.

HOW TO DEAL
WITH THE
CORPS.

GOVERNMENT
PROPERTY
RECOVERED BY
THE GOVERNMENT.

I further beg leave to submit to your Lordship's consideration what will be necessary to be done with those persons who have received from the present rulers, the cattle of Government and His Majesty's stores of all kinds. Perhaps according to the possessors' characters and the way they paid for or acquired them, may guide this proceeding, as the worst characters have got this property into their possession. All the public acts by deeds and grants of land, and leases, I apprehend may be done away by a proclamation to that effect, under the crime of rebellion when they were granted.

Method of
paying the
troops.

As money can be procured here sufficient to pay the troops, it would be a most desirable thing for them to be paid in cash, whereby their pay would give them a most satisfactory advantage.

* On the 12th December 1805, at 10 o'clock, the resignation of Kemp as Judge-Advocate was ordered in Council. Kemp and Forester directed Atkins to resume the duties of the office and further orders.

At present a soldier, in order to get a little money, takes up some kind of slops, merchandize, or liquor, from his officers, which he sells for less than it cost him, and the consequence is that every 24th day of the month he has little to receive. By this means the Paymaster's notes, that become consolidated in bills drawn for the amount, remain in the officers' hands, which are disposed of at an advance of about fifteen per cent., or more, to the loss of the soldier, besides that which he sustained on the sale of the merchandize which he had procured to give him a little ready money.

1808
30 June.

During the course of my government no memorial has been presented against any measure; on the contrary, highly approving of what I had done, and I conceived that cordiality subsisted between Major Johnston, his officers, and myself. The Corps, in general, seemed extremely pleased with the attention which was shewn to them; and it surpassed my expectation that, in a colony where so much bickering had taken place, any harmony could have been so soon produced. But all persons appeared to me becoming happy and contented until the public enemy, McArthur, began his secret machinations. Major Johnston's political illness, and not coming to me when sent for, although he was capable of commanding the troops in the rebellion, deprives him of the benefit of any excuse.

Universal
harmony

broken by
Macarthur.

I have every confidence, my Lord, of your approbation of my conduct, and that your Lordship will lay my case before my King and country, that His Majesty may be graciously pleased to send me relief, and shew to this new world that obedience is the first duty which is due from them.

I am, &c.,

W'M BLIGH.

GEORGE CALEY TO SIR JOSEPH BANKS. (Banks Papers.)

[Extracts.]

Sir,

Parramatta, 7th July, 1808.

7 July.

Was I to be silent at the present juncture on so remarkable an event which has happened, after having repeatedly at former times given you my opinion respecting the state of the colony, I should conceive myself liable to be viewed in your mind as a partisan or an espouser of the cause I have to relate, viz., the dispossessing Governor Bligh of his command and detaining him a prisoner under the term of *arrest*. Before I enter at large upon the subject, I shall say a few words concerning Gov. Bligh. Should they be thought to be couched in too harsh terms, let them be considered as coming from a mind unbiassed by prejudice or tainted with corruption. I declare him an unfit man for a Governor of this colony. Being too fond of flattery laid him open to censure and imposition. In commencing farmer he committed himself very much, and from this I may attribute he

The arrest of
Bligh.

Caley's
description
of Bligh.

- 1808
7 July.
- Bligh's irritating manner
- and ignorance of the people.
- Errors of judgment.
- Caley on Bligh's opponents.
- An open letter to Johnston.
- created several enemies. A Governor ought to be the last person in the country to possess a farm. However, as it is said he who has the fewest faults is the best man, I beg not to be understood as considering these frailties in a criminal light, and that they are no more than what every man is more or less subject to; yet I have no doubt but in low and weak minds they are mistaken for crimes, and in those overcome with phrensy and heated by party bigotry are magnified into the grossest nature. I do not doubt but what he teased and mortified some people in a greater degree than what there was occasion for, and that according to the state of affairs, an honest man who held a situation under Government could but barely subsist upon his pay, which was a case that wanted enquiring into and representing to Government. It is evident he was not thoroughly acquainted with the disposition of the people, and was deficient in policy how to govern. As there was a large party formed against him, and tho' he knew but few who he could trust, I do not mean that he should have pursued the measures of his late predecessor on such an occasion. for that I declare to be a venal form of governing which every wise and good man would abhor, for it would be gaining a momentary influence by taxing posterity. From the like may be attributed the present evil and commotion. Nevertheless, I have every reason to believe that Governor Bligh's meaning was for the general interest of the colony, though he erred in judgment. Upon the whole, the blot is so small upon his conduct in comparison to that upon the conduct of his opponents as scarcely to be perceived without a minute inspection.
- Having informed you of Governor Bligh's failing, according to my judgment, I shall now attempt to lay before you the proceedings of *his** opponents; and in order to make it appear the more interesting and divested of partiality, I shall consider myself as writing publicly to the person who has assumed the command, and calls himself the Lieutenant-Governor, through the channel of a newspaper, whereby I leave him at liberty to vindicate his cause:—
- "To Major Johnston, of the New South Wales Corps,—
"Sir, New South Wales, 7th July, 1808.
- "I shall not make any apology for writing to you through the medium of a newspaper, thinking the compliment would be of very little use; but before I enter upon the chief design of my letter I shall explain the reason why I have not addressed you with the rank of Lieut.-Governor, else you might imagine I was void of civility, and paid no respect to men in office. The manner [in] which you have obtained this rank fully convinces me it is fictitious, and consequently what you are not entitled to; therefore, to adopt it would not only be conceding, but sanctioning, the fraud
- * * * * *

* Foot-note by Caley.—"Changed to Governor Bligh."

“The subterfuge manner in which you acted when the soldiers became so mutinous, on the trial of one of their late officers, is too barefaced for me to pass over in silence. Various reports were rumoured, intimating that you had fallen out of your chaise and was dangerously hurt; that you were even dead; and really some of your well-wishers were so disturbed as to repair to your house to know the truth of the assertion. When His Excellency the Governor sent for you, instead of waiting on him instantly at so critical a juncture, you delayed the time, and when you made your appearance it was not in the manner he expected to see you. It is evident you lurked behind the curtain while every preparation was making necessary for your appearance upon the stage. On the person on trial being committed to prison on a charge of having escaped from justice, the soldiers became the more outrageous, and now both the gaol and Government House are threatened with destruction. The business now being ripe, to gratify your mistaken zeal, you are sent for post haste.* On your arrival, as an officer and commander of the troops, you ought to have used every exertion in restoring public tranquillity; but, instead of making the least effort, you became the ringleader of the faction, headed the mutinous soldiers, marched them up to Government House with flying colours and a band of music, took possession of it, confined the Governor, seized his papers, and proclaimed martial law. This was the manner in which you waited upon His Excellency. You are pleased to call it an *arrest*; but I am very much mistaken if the Attorney-General does not make use of a different term. Where are your precedents for such proceedings? If you can show none, the subject is novel, and I think you will pay dear for the fashion. As you went prepared for action, how would you have behaved if any resistance had been made, or if His Excellency himself had been determined to have shot the first man that attempted to approach him, and would have lost his life sooner than have submitted to the outrage? The answer to this question produces a gloomy and melancholy countenance. I have another important question to ask about this *arrest*. How came he who was committed to prison to be so soon at large and accompany you in this hazardous enterprise? It must be by a gross violation of the law. But what must occur in the minds of a candid and disinterested public when I say the very man who the Governor was prosecuting for a breach of order is appointed Secretary to the colony, and entrusted with His Excellency's papers? Common-sense would have told you this was wrong if you had but calmly consulted your own understanding.

“Now the phrensy of party bigotry blazed forth in illuminations, bonfires, burning effigies, roasting sheep, and in all manner of riotous dissipation. The minds of the vulgar were now poisoned

1808

7 July.

Johnston's
conduct
during the
trial of
Macarthur.

He remains
in the back
ground.

His duty as
head of the
forces.

An arrest or
a mutiny.

Macarthur's
release and
activity.

Bonfires and
effigies.

* Foot-note by Caley.—“His residence was distant about three miles.”

1803

7 July.

with prejudices artfully circulated, and the tongue under no restraint but that of its own faction. Some of His Majesty's subjects were exposed to the grossest insults, with the danger of their lives. This scene of wild extravagance, sanctioned by such usurpation, is a sure forerunner of oppression, decay of public credit, the unprotection of individuals and their property. It also betrays an imbecile mind, and leaves a remarkable and odious stigma upon your conduct.

Public
opinion.

"I am inclined to think you expected to find scarce a man that would disapprove of your measures. However, here you were mistaken, and some people began to speak pretty freely upon the business; but this freedom of speech caused a report to be circulated that if any efforts were made to prejudice the minds of the people against your administration, you would immediately put the country under martial law, and hang the offenders (loyalists). Be this as it may, as coming from you it was credited, and undoubtedly put the people in fear that were known to be of opposite opinions to your party. Is not this an intrusion on the liberty of the subject?

Will
Johnston's
bills be
honored?

"When the licentious and extravagant mirth began to abate, the mind of course was more at liberty to inquire into the cause, and it was soon whispered that the Government bills given during your administration were not likely to be duly honored. This was a blow upon public credit, and a scarcity of money was soon a general complaint. Instead of the times altering for the better, according to expectation, a contrary effect was produced. Now many people began to see their error, and that they had been supporting a different man than yourself. The indulgence given to the soldiers, and the disappointment the community have met with, is certainly an unlimited stretch of power, and cannot answer any other end than protecting you in your citadel, at the risk of increasing the weight of your burden.

Macarthur
virtually in
command.

"At length it was plainly seen to every one that the Colonial Secretary was in possession of the command, and that you had been made a tool of in the business to answer his ambitious views. This so incensed some of the settlers as to make the attempt of getting him dismissed; but finding it would be at the hazard of a prosecution, they gave up their hopes as fruitless.* If I am rightly informed, you said you could not pay any attention to their request unless some charge was brought [against] him. To the appearance of a stranger this is no more than a just demand; but suppose the stranger is made acquainted with this Secretary's character, and that he alledged a crime against you in the year

A forgotten
offence.

* *Foot-note by Caley*:—"Three magistrates whom you had appointed you now dismissed on account of acquiescing with the settlers." See the Government and General Order of 5th April, 1808, ante, p. 574, in which Johnston notifies that he has no further occasion for the services of Charles Grimes, John Harris, and James Symons, Esquires, as magistrates.

1800, on account of which you went to England* ; then, sir, the demand will be declared unjust. The discontentment of the people was a charge sufficient to have told you no further enquiry was wanting. You may tell me your wound has long been healed ; but, sir, I say the scar still remains visible ; and though I may admire the goodness of your heart in forgiving an enemy, yet it is a breach of honor, and an insult to the community, in suffering him to manage the affairs of the public. The discontentment of the people increasing, you sent circular letters to your officers accusing them of neglect in supporting you after having urged you to arrest His Excellency, but speaking in terms of commendation of the Secretary.† By this one would suspect that you have some intention of throwing the greatest blame upon them, or that they are all equally criminal with yourself, and that it would be in vain for them to retreat after having gone to such a length. The contents of this letter becoming public has exposed you the more, for it is rumoured you are not the author, but the Secretary himself.

1808

7 July.

Johnston's
circular to
the officers.

“The motley crowd which were encouraged, instead of being instantly suppressed, and the numbers you have let loose upon the public, would evidently open a source for the greatest evils ; and from this I may attribute the numerous thefts and robberies which have of late been committed. Nothing can show a specimen of worse management than a number of convicts seizing a ship in the harbour, and escaping from the colony.‡ It is a neglect of so foul a nature as not only to violate the law of nations, but to insult both justice and commerce. By the office of Judge-Advocate being vacant, owing to your having set aside the legal one, and the one you had appointed§ being dismissed and quitted the colony, the rabble of the vulgar had imbibed a notion, let them commit almost any crime there would be no capital punishment, which greatly lessened your authority. You were reduced to the necessity of appointing another in order to preserve the command, and to call a Court to try and execute some of the culprits. However you may plead as this being the only resource to be adopted for the protection of private property, you did not confine yourself to these limits, but gave way to suffer an officer|| of the establishment, who had been appointed in England, to be transported. Let him be guilty or not of the charges brought against him, he

Convicts
liberated.Capture of a
ship.No Judge-
Advocate.Transporta-
tion of Gore.

* The circumstance to which Caley alludes was the trial of Johnston for substituting spirits for cash in paying some of the soldiers. It was stated that the price charged was 24s. per gallon, while the price from the ship was only 10s. per gallon. Johnston was sent Home for trial ; but as there were no witnesses or evidence available in London, it was impossible to hold a Court-Martial, and Johnston was directed to rejoin his regiment, which he did in October, 1803. There is nothing in the “Records” which points to Macarthur as preferring the charge against Johnston.

† See this circular letter of 26th April, 1808, ante, p. 600. It was not sent to either Grimes or Symons.

‡ A reference to the seizure of the Harrington, ante, p. 644 (note).

§ Charles Grimes. He was not dismissed. In General Orders of 5th April, 1808, ante, p. 574, Johnston accepted his resignation.

|| The Provost-Marshal, William Gore.

1808 was not amenable to a Court of your convening for his conduct.
7 July. Such proceeding leaves room to suppose that conscience had something to do in this case.

Grain
received in
payment for
live stock.

“The popular voice concerning the bills given by you on the Treasury being insolvable, at length you issued orders that grain would be received into His Majesty’s stores in exchange for the cattle belonging to Government. This was an artful, cunning scheme towards supporting and strengthening your authority. The stores were in want of grain the settlers had it to dispose of ; they were in want of cattle, and you took the advantage.*

Killing live
stock for
consump-
tion.

. . . You are not justifiable in the number of bullocks you have constantly killed for to supply the public stores ; this is done to feast the soldiers and others, to keep them true to your interest at the expense of Government. It is lavishly wasting what all Governors hitherto have been desirous to preserve and propagate. It is highly detrimental to the interests of the colony at a future period. If a preference in England is given to tilling the ground with oxen for a certain time before they are fattened for the market, a greater preference for such economy ought to be expected here. The expences of evacuating Norfolk Island you aim at defraying by an equivalent in the return of timber. You are evidently desirous of showing how much the expenses of the establishment may be reduced (but which will be found hereafter you have increased). Though you may flatter yourself as this being a favourable circumstance in your conduct, yet it will neither prove you innocent nor free you from suspicion.

The
evacuation
of Norfolk
Island.

Johnston’s
charges
against
Bligh.

“If you have no other charges against the Governor, and better founded than those which have been circulated, though numerous, your cause is very weak. They are rather the frailties of human nature than crimes cognizable by the law. But why was not his conduct represented to that power to which he is amenable ? Did you think the country would be totally ruined by the length of time that would elapse before an answer could be received, and that it was a duty incumbent upon you to interfere, or were you not urged from motives foreign to the general interest of the colony ? Can you say with a clear conscience that you have taken no advantage of His Excellency’s former misfortunes ? You call yourself the Lieut.-Governor without having produced your commission. Do you suppose that being placed by accident as the next officer in rank to His Excellency entitles you to make use of the appellation ? Look again, and see if there is no vacancy between your rank and His Excellency’s which belongs to the Lieut.-Governor. In my way of judging, you would have been no more than Commandant had the command legally descended

Why did he
not report
to England ?

Johnston’s
right to style
himself
Lieutenant-
Governor.

* *Foot-note by Caley.*—“The worst of the cattle have been then disposed with—as honor on the wisdom of a usurped Government. Is it consistent with Government to pursue the artifices of a cunning jockey ?”

to you. You have not been content in dispossessing the Governor, but have dismissed other officers and subverted the Government in some instances apparently on purpose for your partisans to accumulate wealth. If my information is good, you have acknowledged yourself incapable of administering the Government, and what was published in your circular letter almost confirms it by pointing out the Colonial Secretary as the fittest person to be found for managing the public affairs.

1808

7 July.

Macarthur
the main-
spring.

“Should you expect to reap great advantages from the petitions or addresses which have been handed about in your favour, you will be mistaken ; for on a scrutiny it will be found the signatures may be reduced to several classes, both voluntarily and compulsory. They who signed the one for to arrest the Governor, instead of rendering you any support, have criminated themselves. Before this unfortunate circumstance took place, I always understood you to be a well-disposed, good-natured man—a cheerful companion, and an idol of the soldiers and the lower order of society.* Being thus esteemed you have led numbers astray in suffering yourself to be imposed upon in sharing the same fate. The manner in which you beseiged Government House on the 26th of January will be a sarcasm upon the New South Wales Corps to an unknown generation. You have taken upon yourself to be answerable for your conduct ; but the forfeiting the most valuable acquisition you are possessed of, will not be an atonement for every individual whom you have injured. What I have said respecting you is only leniency and compassion to what I would have done had not you been made the instrument for answering another’s vanity.

Address to
Johnston.His high
private
character.An
instrument
in another’s
hands.

“BRUTUS.”

The man who has been the occasion of all this mischief and commotion is John McArthur, Esq., late a captain in the New South Wales Corps. It appears you have some knowledge of him (though I do not think he is personally known to you), and must have nettled him when he was in England, from the animosity he bears you. He has circulated a report that you are an old debauched character, and that if you interfere in the present business he will soon cut you down.† Such talk may serve to amuse his converts at the risk of self-conviction. I am informed he said there would be my despatches, but he should keep a sharp look-out after me, and that he would take away my men. As I have not had any connection with him, I am at a loss to know in what I have given him offence. Some time ago I heard from the natives that a soldier stationed at one of his stock-yards had killed

John
Macarthurand Sir
Joseph
Banks.

* This estimate of the high private character of Johnston was unmistakably endorsed by by both sides at his trial in May, 1811.

† Sir Joseph Banks appears to have been an implacable enemy of Macarthur ; and judging from Macarthur’s letters, written during his enforced sojourn in England, which followed Johnston’s trial, the feeling was most heartily reciprocated by Macarthur.

1806

7 July.

Macarthur
and Caley.

a native and that a retaliation was going to take place. I immediately wrote a note informing him of the affair. Shortly after I received a letter from him expressing that if I could make it convenient to call upon him he had a proposal to make me, which he thought I should consider as an advantageous one, and, at the same time, include my present pursuit. Knowing his general character, I declined not to go near him; but wrote an answer thanking him for his kindness. I am now fully persuaded in my mind that this was intended as a bait for me, and he perceived I could not be taken. It must be from this, or from being employed by him, that he causes him to throw his venom at me.

The
relations
between
Governor
King
and Captain
Macarthur.

I will comment a little upon Governor King, for this man's conduct will not let him remain undisturbed. Though I shall allow him to be a man of abilities and possessed of a quick turn of wit and keen penetration, yet his weakness is beyond belief. When this man and Gov'r King disagreed, it is said that he (Gov'r King) wrote to a Capt. Tennant* requesting that he (Capt. Tennant) would delay sailing a few days longer for to take this man from the colony, for while he remained it really was in danger from his noxious principles. It has been also said that Gov'r King sent despatches by Lieut. Grant which contained charges against this dangerous character, but on delivery were found to be robbed of the contents. Notwithstanding all this on the said McArthur's return to the colony, he and Gov'r King appeared to be on the greatest intimacy, much to the surprise of the inhabitants in general. "To err is human; to forgive Divine." But whether this meaning is to be understood in the present instance, I shall leave for your determination.†

The arrest of
Bligh.

Governor Bligh seems to be a man whom Nature has intended to be the subject of abuse, but from his misfortunes the public interest must become better known and secured. When Major Johnston went with about 300 armed men to arrest him (as he calls it), His Excellency retired (from reasons I imagine well known to himself), and the soldiers were for some time over-running Government House before they found him. By concealing himself he was called by the misguided people the greatest coward and tyrant. On the illumination, the Sergeant-Major of the Corps was spoken of as having a transparent figure representing a soldier dragging His Excellency from under a bed. Some windows were said to have the motto of "Johnston for ever!" "Down with the tyrant!" &c. Not content with burning his effigy, he was exposed by a showman to excite the laughter of children.

Excesses of
his enemies.

* Captain of the Earl Cornwallis. She sailed from Sydney for India on 4th October, 1807 about three weeks after the duel between Paterson and Macarthur.

† Caley was apparently not aware that Governor King and Captain Macarthur had agreed to sink their differences in consequence of the express wish of the Secretary of State—vol. 1, p. 672.

It will appear strange to you to think that one man has overturned the Government of the colony. It will appear more so when I say that about two years ago he was very unpopular, and at the present is detested by the inhabitants in general. He has secured himself by the soldiers. But this support must be weak should a superior officer to Major Johnston arrive, who approves of his measures and shows a manly spirit. He is not to be a wise man, or rather would be thought so. He is void of wisdom, he is void of prudence, and by his general conduct I must reckon him only a bravado. If he should rise to power he may probably find it not in his power to quell it. I have been an admirer of the rectitude of Brutus; and in his principles are to be imbibed and transferred by reading, the vanity to imagine that some have fallen to my lot. If I am thus imposed upon in mental acquirement, the deception is harmless, but yet useful. It is the endowment of the mind which defines the difference of individuals, and adjusts them to the scale of virtue.

1800

7 July.

Caley on the character of Macarthur.

A modern Brutus.

* * * * *

I have frequently taken the liberty to tell you of the ill effects caused by spirits not being allowed to be more general in use. Whether you acquiesce with my opinions or not, I am at a loss to know. If you do not, I think I shall now convince you of the error. From the abundance of peaches that are now annually produced, a great quantity of cider is made. Though it may, in a great respect, be compared to hogwash, yet it is drunk with the same eagerness as if it was of a good quality; and I have witnessed it to produce as great a scene of intoxication, as I ever did from foreign spirits. What is to be done now? Will it be good policy to eradicate all the peach-trees? Whatever spirits can be distilled from, whether the produce of the colony or not, I am convinced will be done whenever there is a scarcity, and which in many respects [has] been highly injurious to the colony. I have always been of this opinion, that if the people were thoroughly drenched with liquor, they would ere long prefer water to it. Of late, large quantities of wine have been brought from the Cape of Good Hope. On its first being vended, a general intoxication prevailed for some time; but, from the people having spent their money, and being pretty well glutted, a deal of wine remains yet unsold.

Caley's original views for the suppression of intemperance.

When first I embarked in my present pursuit I fancied I was able to do a great deal more than what I have done, in half the time, but many unseen obstacles have appeared in the way. Had I been liberally supported I could have accomplished my design. What I mean by liberal support is for the Governor to push on the discovery himself, and the public stores to be open on the occasion; for the traveller to be encouraged in the

Caley's labours as an explorer.

- 1808
7 July.
- Country
near Mount
Hunter.
- Description
of new
country.
- Communica-
tion with
Jervis Bay.
- enterprise with the spirit of emulation ; and for his journeys never to be interrupted while he was possessed of ardour or while he was capable of rendering his services beneficial to mankind. I have endeavoured to gain a knowledge of the geography and natural history of the country at the expence of my constitution. My ideas have been greatly extended since I visited the cataract of Carrung Gurring* respecting the geography of the country, from an interpretation with some natives residing more backward. The conical hill, which has been mistaken for Mount Hunter, and bearing from Prospect Hill about S.S.W. $\frac{3}{4}$ W., whose distance I suspect to be about 60 miles, I am informed of as follows :—That it can only be ascended in kangaroo and emu paths by its being covered with a black stone, which cuts both the hands and feet of the natives. I cannot think what stone this can be, unless it is flint. I was given to understand that neither me nor my native (Moorwattin) had ever seen any, for it only was met with upon this hill. The trees differ from those in the colony (or cultivated parts). The sea is to be seen from it, and is only one day's journey to it. Ships at times are seen from it. The sea-coast natives often visit this part. No salt-water creeks come near it. The rain-water which falls in this part is discharged into the Hawkesbury considerably higher up than the Roodee. There are two or three cataracts in this part of the country, but this was only told to the native who visited this part. The natives are very numerous, savage, and hutch up their shoulders. Moorwattin says he has oftentimes been told by other natives of this unaccountable custom in hutching up the shoulders. A cart may be taken all the way, as the ground is forest, but very scrubby in places. There are no rivers to cross except the Nepean. The distance is described to be great.
- This account strengthens a former conjecture of mine that there was a tract of forest land communicating with the parts about Jervis Bay. I am much inclined to believe that a communication may be thus opened ; but between this long slip of land and the sea-coast, there is reason to believe the country is very rough and mountainous. In a great measure I have ascertained the first thirty miles to be so. The whole of this account I intended to have investigated, but, alas ! I have been deceived in my expectation. However, it is not improbable but what disappoints me may be the means of appointing some one hereafter to explore the country, supported by national opulence. The rage of faction and all former difficulties may be unknown to him. He may then review the parts described by his predecessors with smiling sorrow, and pitying the hardness of the times they struggled under.

* In Plate viii of the atlas issued with *Flinders's Voyage to Terra Australia*, a Moorwattin River is shown, corresponding in position to the Cataract River, which forms part of the southern boundary of the County of Cumberland ; and the Cataract of Carrang Gurring is shown at what appears to be the spot where the Appin Falls are situated.

Another desideratum I wanted to gain was the conflux of the Hawkesbury and Nepean, and to travel up the former river for to discover the junction of the Dryander* ; at the same time to endeavour to find a passage to the Roodee ; also to gain some knowledge of the Dryander and the country it runs through, from Shell-stone Brook to its conflux with the Hawkesbury. I have a great notion there would be several new plants picked up along this river and on the adjoining hills, &c. It is a part of the country entirely unknown. However, I must leave it for some other person to explore. But the misfortune is, they who study geography are very indifferent botanists, and *vice-versâ*. For my part I should never have employed myself in a geographical pursuit had it not been forced upon me, viz., it was impossible for me to travel in the woods to any distance without keeping some sort of a reckoning, and I farther thought it would be demanded that I should give some account of the parts I visited. Being ashamed of my ignorance I lost no time in making myself acquainted with what was necessary for me to explain. From the experience I have had of the compass points out to me that it stands in need of some improvement, or rather, a new sort of compass is wanting in this pursuit ; such I mean to have made when I return to England.

1808

7 July.

Tributaries of the Hawkesbury.

Caley's geographical pursuits.

I make no doubt but what Gov. King has told you that I wanted to quit the colony, and in all my letters since I have begged to be recalled by the first favourable opportunity. I now possess the same sentiments, for it has long been a miserable, wretched place ; but now I do not know in what terms to describe it. Packages which I ought to have had long ago I am unable to obtain. I hope the time will not be long before Colonel Paterson steps forward or Major Foveaux arrives.

Deplorable condition of the colony.

* * * * *

I remain, &c.,

GEORGE CALEY.

P.S.—On reading the public letter to a gentleman, a friend of Governor Bligh's, he expressed a strong desire for His Excellency to see it, and I condescended for to favour him with a copy, thinking it might tend to keep up his spirits. I also copied other points which related to the same subject. . . .

Caley's condescension.

REV. HENRY FULTON TO ———†
[Extracts.]

My Lord, Sydney, New South Wales, 20th July, 1808.

20 July.

As the events which have lately occurred in this colony are very extraordinary, and will most probably be the subject of much conversation in Great Britain and Ireland, I thought it

The Chaplain's account of the rebellion.

* Probably the Warragamba

† Although the addressee's name does appear, there is little doubt that the letter was sent to Viscount Castlereagh. A previous letter had been sent by Fulton in April, 1808, but it has been lost.

1803

20 July.

would not be disagreeable to your Lordship to have an exact statement of the principal facts for your information, especially as I have been an eye-witness of the greater number of circumstances, which I have here detailed, and the rest I have from sources of undoubted veracity.

State of the colony at Bligh's arrival.

Consumption of spirits.

Opulent officers.

Discontented settlers.

Macarthur and Bayly.

Macarthur a merchant.

On Governor Bligh's arrival, in August, 1806, the colony was in a very distressed situation. The river Hawksbury had overflowed its banks, and swept away the greater part of our grain. The settlers were involved in debt, chiefly by their lust of spirituous liquors, and the great quantity of that noxious beverage which had been imported, as it was disposed of to them chiefly by barter. This practice, which had continued from the foundation of the colony, became very pernicious, for it destroyed the health and industry of the people; it cramped their exertions and dejected their spirits by keeping them in poverty, want, and misery. Some people got spirits by permission of former Governors, and in such quantities as those Governors chose, at from eight to ten shillings per gallon, and paid it away at two, three, or four pounds per gallon in barter to workmen, settlers, shopkeepers, butchers, &c. Sometimes they sold it privately by their agents, when scarce, at an enormous price. Therefore, Governor Bligh was determined to put a stop to it, and issued General Orders accordingly.* As John McArthur, formerly a captain in the New South Wales Corps; Thomas Jamison, Principal Surgeon; and other officers, civil and military, either acquired considerable—some of them great—properties for such infant colony as this, or were enabled to live in a stile much superior to what they could have otherwise expected, by the means of bartering spirits, these General Orders were very disagreeable to them. Doctor Robert Townson, Gregory Blaxland, and John Blaxland, who lately arrived here, were rendered discontented by those who had been long in the colony, so that all their minds were in a state of preparation to be worked upon by any factious and discontented leader who had address enough to deceive them and manage them for his own ambitious purposes. Such a person was not wanting while John McArthur lived here, assisted by Nicholas Bayly, formerly a lieutenant in the New South Wales Corps, but who has retired to a farm for some years; and, although he and his friends have given out the contrary, I suspect he was dismissed† from the Corps in consequence of a representation made by Governor King to His Majesty's Ministers when he disapproved of the sentence of a Court-Martial which he ordered to try him in consequence of an insult offered to him by Bayly.

McArthur has for some time past become a merchant, and knew that if he could get the chief command here he would be able to

* See Government and General Order, 14th February, 1807, ante, p. 253.

† Bayly was not dismissed; his retirement was notified by the War Office on 27th February, 1808—post, p. 317.

import goods from China without restraint, which Governor Bligh would not permit ; and, though he must be conscious that such ill-gotten power must be of short duration, yet such is his avarice and ambition that they break through every prudential consideration.

1808

20 July.

His property and lust of power, his impatience of restraint, active and intriguing spirit, his influence over the officers of the New South Wales Corps, and an identity of interest making it his and their immediate advantage to oppose the Governor, cause him to be a very dangerous subject to any Governor, but especially to a man like Governor Bligh, who conscientiously endeavours to put His Majesty's commands in execution impartially, without humouring the avarice of this man or that, or indulging the corrupt dispositions of one party in order to enable him to command another. Had he sought his own private advantage, and privately joined one party in bartering spirits, who would have enabled him to curb another, he might have made a large fortune and continued his influence until His Majesty's Ministers recalled him ; but he is a man of too much integrity for this, and, therefore, His Majesty's commission constituting him Governor of New South Wales has afforded him but little protection.

Macarthur's influence over the officers.

The rectitude of Bligh.

From the time of his arrival in the colony, and even before it, he has been traduced as a tyrant. In a secret and designing manner McArthur pretended that he had a very gloomy prospect with respect to the time of Governor Bligh's reign, as he termed it. When the General Orders were issued prohibiting the barter of spirits, Mr. McArthur said in conversation with me that the licensed retailers of spirits (though Governor Bligh was careful to limit the quantity given them), would have all the money in the colony, and that the soldiers would not suffer it. He said such measures would not be tolerated were there fifty men of spirit in the colony.

Macarthur's alleged forbodings.

A schooner of McArthur's called the Parramatta obtained a clearance to go to Taheite, and carried away a convict, J—— H—— by name, and, on the return of the schooner, H—— was wanting. The crew of the vessel asserted that the master, Glenn, treated him as an equal on the passage, and not as a convict. The master himself said H—— had escaped from him at Taheite, and, as he believed, had gone from that island on board an India ship, called the General Wellesley. The missionary Elder* says that Jefferson, one of the Society and a magistrate, wrote to Glenn a letter on His Majesty's service warning him to take care of H——, and the other missionaries, on hearing that he was secreted on board the Wellesley, told both Glenn and Captain Dalrymple of the Wellesley of the circumstance ; but they both refused to search for him. The Naval Officer sent constables on board the ship on her arrival, requiring by letter the money forfeited by breach of a bond which every

The convicts escape in Macarthur's vessel.

* See the affidavit of James Elder, enclosed in Bligh's letter to Castlereagh, 30th April, 1808, and printed as a footnote, ante, p. 609.

1800 master of a ship must give himself in £500 and two sureties in
29 July. £500 each, that he will take no people out of the colony without
the Governor's permission. In this case McArthur and his partner
in trade, **Garrigue Blanchet**, were the bailsmen. The Naval Officer
Particulars of demanded of them the money, or security for it. This McArthur
MacArthur's refused. The Naval Officer sued them at the Civil Court and
case. obtained a decision in his favour.*

+ + + I have, &c. + + +

HENRY FULTON,
Assistant Chaplain.

Arrival of N.B.—**Foveaux** arrived on the 31st July, and assumed the
Foveaux. rights of Government himself, pretending that he cannot decide
between Captain Bligh (as he calls him), and the officer whom he
found in command.

JOHN MACARTHUR: (Banks Papers.)

SOME circumstances respecting Captain McArthur, late of the
New South Wales Corps, stated for further investigation
previous to the granting of any further indulgence to him by
Government on the plea of his having established a flock of
fine-wooled sheep at Sydney.

Sir Joseph
Banks's
comments
on John
MacArthur.

MR. MACARTHUR first came to New South Wales in the character
of Gent. in the New South Wales Corps. His father was a tailor
and mercer at Plymouth: consequently his habits had not before
he entered the Army led him to acquire any knowledge in the
management of sheep. His whole skill as a sheep-master must
therefore have been acquired in the colony.

Spanish
sheep in
New South
Wales.

FAR from having a monopoly of all the Spanish sheep in the
colony, as is suggested in the papers laid before the Commtee, it is
apprehended that he never was able to collect one-fourth of the
flocks brought over by Capt's Kent and Waterhouse from the
Cape. The rest are in the hands of individuals and of the Govern-
ment, who continue to distribute them to deserving settlers and
other inhabitants, every one of whom is as capable of promoting
the breed of fine-wooled sheep and as desirous of doing it as Capt.
McArthur can possibly be: but not one of these has laid claim to
any encouragement on that head, much less to any grant of land.
The success of their endeavours will enable them to extend their
concerns till as fast as their flocks can be expected to increase.

In the consideration of Mr. McArthur's case, their Lordships
should be aware that his visit to England, as he modestly terms it,

* Here follows an account of MacArthur's dispute with the Naval Officer and the subsequent proceedings up to the arrest of Governor Bligh. Fulton's account does not differ from that of Governor Bligh and others, and is, therefore, omitted.

* This document is a rough draft in the handwriting of Sir Joseph Banks. It bears no date: but from the reference it contains to Captain Waterhouse's letter—presumably of 10th July, 1806 (ante, p. 119)—it was in all probability penned subsequent to that date. Banks, for many years, pursued MacArthur with relentless malice.

was under an arrest from the Governor for his extreme ill-conduct in the colony, and that in consequence of what was then alleged against him he disposed of his military character in England by selling his commission and returned to New South Wales in a civil one.

1808

20 July.

Macarthur
sent Home
under arrest.

From this fact it may fairly be deduced that his conduct while resident in the colony does not merit reward. Had not his talents and his employment there been more conformable to his mercantile education than to his military profession, he could not, as he is actually said to have done, have increased his property without the use of capital of any kind from the simple pay of a lieut. in the Army to the amount of £30,000 at least; but the only ostensible traffic he had, or indeed that he could have had, was, first, in the monopolizing the cargoes of vessels arriving at Sydney and selling them to great advantage before the ships were unloaded. In this trade several partners in general took a joint concern in the exchange of the necessaries, the sheep granted by Government, and the little property acquired by new settlers and emancipated convicts, for spirituous liquors sold at a price all but incredible to reasonable men, and often, it is feared, with half inebriated victims, who from former habits were ready, under the first effects of liquor, to give without hesitation any price that could be asked for the indulgence of their favourite vice of intoxication.

A wealthy
colonist.

That a man of this character should have obtained leave to return on any terms to the Governor whom he had insulted, and to the colony where he had practised the conduct above stated, is a clear proof that Government acted under a misrepresentation of his conduct when they gave him any kind of indulgence. That a grant of 5,000 acres of land and the labour of 30 convicts as shepherds should have been pledged to him at Home is a further proof that his character was unknown to His Majesty's Ministers. That he should have obtained leave to choose his land in whatever part of the colony he should prefer was not, however, a measure of prudence or sound policy in any case, and this is demonstrated by the choice he has made; for he has fixed upon a tract of land by no means well suited for the pasturage of sheep, as the grass upon it is long and coarse, but in which the only lagoon of water, where the great herd of wild cattle originating from stock that strayed away soon after the first settlement of the colony in 1788 can obtain water in dry seasons, is situated.

Folly of al-
lowing him
to return.

Land and
labour
grants.

Had this lagoon been granted to him by the Governor, the whole herd must in consequence have been perpetually at his mercy. He would have constantly found some of them trespassing on his land and liable to be killed by him as wild animals committing waste on his property. The Governor, however, has wisely refused to obey the orders he has received on this head, trusting to the wisdom of Government for their approbation of his refusal under these circumstances.

Water for
the wild
cattle.

1808

29 July.

Kent and
Waterhouse
first im-
porters of
merino
sheep.

There is every reason to believe that a great portion of Capt. McArthur's flock, for the establishment of which he so loudly demands a reward from the public for the importation of the true breed of merino sheep in New South Wales, will be seen in a letter from Capt. Waterhouse,* enclosed in this, from whence it appears that the public is wholly indebted for this interesting improvement to the patriotic zeal of Capt. Kent and Capt. Waterhouse, and more especially the latter, for all benefit which will in due time accrue, from the circumstance of their having invested their own money in the purchase of these sheep when the Commissary of Government, who alone had the power of disbursing public money, absolutely refused to have any concern with them.

Purchased
in 1797.

Capt. Kent bought the sheep. He and Capt. Waterhouse carried them to N. S. Wales on the voyage in the *Reliance* in March, 1797.

They were bought of the widow Gordon, twenty-six in number, at £4 a head.

Originally
sent from
Spain.
A prize
sheep.

They were originally sent for or brought by Col. Gordon (two rams and four ewes) from Spain.

McArthur bought a ram from Australia hence for £16. The sheep were a joint concern between Capt's Kent and Waterhouse. Each took thirteen.

Distribution
of original
sheep.

McArthur bought a ram and 1 ewe from Mr. Braithwaite, Capt. Kent's lieutenant. Of Capt. Kent's 13, 9 died on the passage. One ram and 1 ewe he had. The other ram and ewe Mr. Braithwaite had.

Mr. Marsden and Mr. Cox, the Paymaster, bought all Capt. Kent's sheep when he left the colony in Oct. 1800. They were all mixed. Doubts whether the in-bred breed remains in the colony.

All the originals are dead.

Other flocks
besides
McArthur's.

Cox, Hobby, Marsden, and several others have flocks. No one is certain, not even McA., that he has the real original breed. His father, a mercer and tailor at Plymouth, purchased the lowest lieutenant. He sold out as second captain.

There has been a considerable mortality of sheep from a wet season and want of shelter. McA. has frequently lost sheep from want of shelter. Capt. Kent always sheltered his and found shelter necessary.

Mr. Marsden has 2,000 sheep.

Good
grazing
land.

The hills near the lagoon are very fit for sheep; the immediate neighbourhood of the lagoon very unfit.

No sheep have been yet sent across the lagoon by McA. or any other person.

CORRESPONDENCE BETWEEN BLIGH AND FOVRAUX.

1808

18th July, 1808.—See enclosures to Bligh's despatch of 31st August, 1808, post, p. 712.]

* This is doubtless (for the enclosure is missing) the letter of 16th July, 1808, ante, p. 118.

PROCLAMATION.

1808

JOSEPH FOVEAUX,

Sydney Gazette, 31st July, 1808.

31 July.

As the government of this colony has been upwards of six months out of the hands of William Bligh, Esquire, and as the circumstances attending his suspension have been fully submitted to His Majesty's Ministers, who alone are competent to decide, Lieutenant-Governor Foveaux conceives it to be beyond his authority to judge between Captain Bligh and the officer whom he found in the actual command of the colony.

Foveaux
refuses to
interfere
with the
status quo.

In assuming the administration of the Government until His Majesty's pleasure shall be known, Lieutenant-Governor Foveaux is determined to adopt such measures as he deems to be most effectual for the preservation of the public tranquillity and the security of public and private property ; and to follow, in the discharge of the arduous duties imposed upon him, a system of the strictest œconomy and the most impartial justice between persons of every description.

His line of
policy.

All reports, communications, and other correspondences relating to public business are to be transmitted to James Finucane, Esquire, who is appointed secretary to Lieutenant-Governor Foveaux.

God Save the King !

By command of His Honor the Lieutenant-Governor,

JAMES FINUCANE,

Secretary.

GOVERNOR BLIGH TO COLONEL PATERSON.

Sir, Government House, Sydney, 8th August, 1808.

8 Aug.

Lieutenant-Col. Foveaux having informed me that he intends sending a Colonial vessel to Port Dalrymple, I embrace it as the first opportunity I have had to inform you that, on the 26th January last, Major Johnston, together with his officers and New South Wales Corps under his command, aided by Mr. McArthur, Bayly, and others, did, without any remonstrance, put me in confinement within the premises of Government House, where I remain at this moment. A committee seized all my letter books, book of appeals, my commission appointing me Captain-General and Governor-in-Chief, my Vice-Admiralty commission, my instructions under the Sign-Manual, together with those from my Lord Castlereagh, Principal Secretary of State for the Colonies, all my papers—many of which were private—and the Great Seal of the colony. At that time the country was in peace and happiness, and the settlers—as they are now—highly satisfied with my administration.

Bligh
informs
Paterson of
his arrest

On this unpar'led occasion I call upon you, as Lieutenant-Colonel of His Majesty's New South Wales Corps, and Lieut.-Governor of the territory, to use your utmost endeavours to suppress this mutiny of the Corps under your command, that I may proceed in the government of the colony according to the powers delegated to me by our gracious Sovereign.

and
demands to
be restored.

1808

8 Aug.

Bligh will
enter into no
conditions.

It remains with me to state that I will enter into no conditions; but I am disposed to inform you that, as Captain-General and Governor-in-Chief, all the troops are bound to obey me, and that no person whatever could lawfully deprive me of my government unless by orders in due form from the King, or from him to whom he should delegate his power, death or absence being the only cases where the Governor's power and authority can cease, he being the King's immediate representative.

H.M.S.
Porpoise.

I have had no controul over His Majesty's ship Porpoise; but heard that you had requested her to be sent down for you, and that she went in consequence. Since Lieut.-Colonel Foveaux's arrival, the officers have been permitted to call on me.

I am, &c.,

W'M BLIGH.

16 Aug.

[16th August, 1808.—Foveaux to Paterson, post, p. 736.]

MARTIN MASON* TO GOVERNOR BLIGH. (Bligh Papers.)

20 Aug.

Sir,

Hawkesbury, 20th August, 1808.

It would be cruel to harrow up your feelings by stating the gloomy prospect of the unfortunate inhabitants of this colony, now you are deprived of the power of administering to their relief.

Reforms
affected by
Bligh.

It may, however, be some consolation for you to be assured that, notwithstanding the strong measures resorted to to silence truth and prevent inquiry, the settlers are now sensible of the real advantage that would have been experienced by your suppressing that system of payment for labour and the produce of the land, in spirits and promissory notes, a mere nominal currency, and ordering all notes to be drawn for sterling money. That struck at the very root of monopoly and extortion that had been long and severely felt by the inhabitants. Men of observation could see this would raise up a powerful and wealthy host against you; but none could foresee that it would break out in a rebellion and open hostility to the British Government. It is well that the stroke was made when it was, for yourself individually, for they had began to attack you by a passive resistance, and evidently giving countenance and support to the prisoners against their masters, contrary to the public orders. When the settlers see a public order that immediately concerns themselves, but reap no benefit or protection from it, they in general overlook the subordinate magistrates, and exclaim against the Governor. The subordinate department were so fortified with villains, who would swear and lie to protect their patrons, that few men would hazard the consequence of coming to yourself to exhibit charges, even against a common constable. I myself laid a case before your Excellency

The real
cause of his
arrest.

* Martin Mason will be remembered as the officer placed by Governor King in charge of the settlement at the mouth of Hunter River in 1801.

when at the Hawkesbury, respecting one Crabtree, my tenant, who had removed the property after it was legally distrained for rent due and unpaid. You directed me to apply to two magistrates, agreeable to the statute, and if not satisfied with their decision to bring it before yourself by way of appeal ; but that you would not interfere with the duty of the magistrates in the first instance. There was the law to direct. When the cause was brought before Mr. Arndell and Mr. Jamieson, Crabtree was indebted to one of them upwards of two hundred pounds ; and notwithstanding the fact was proved, and the statute before them, they would not act. They made no record of their proceedings, to prevent it rising in judgment against them. I had the fullest confidence in your justice, but durst not bring it before you by way of appeal, as the magistrates could, by their influence, have accomplished my ruin. This is mentioned to show how Governors are defeated, and often unjustly traduced.

1808

20 Aug.

Corrupt practices of constable and magistrate.

An illustration.

The people in general have exclaimed against Governors without tracing their sufferings and grievances to the real cause. The settlers collectively, and without exception (excepting a few who are employed as agents and pedlars, directly or indirectly, for the present magistrates and officers), are to a man decidedly in your favour, and highly approve of your administration ; and most earnestly wish for an opportunity to express their loyalty and gratitude. It has been proposed by the settlers to send Home two persons as their agents to state to His Majesty's Ministers the situation the colony was in at your arrival, the advantages it has experienced under your Government, and the flattering prospect that every prudent and industrious man had of becoming independent of a set of locusts, by receiving money for his property, which enabled him to go to the best market and to point out the ruinous system that is now adopted. Mr. Bell, the Magistrate, and Mr. Fitz, the Deputy Commissary at the Hawkesbury, keep regular chandlers' shops, buy pigs and other property with wine and spirits, and turn the grain they and their agents receive into His Majesty's stores on the Green Hills, while the grower is obliged to send his to Parramatta or Sydney at an expense of eighteen pence per bushel, to pay for the cattle they were allowed to purchase from the Government herds. Mr. George Suttor and myself have been applied to to undertake their mission to Europe, our expences and support for our families to be defrayed by a voluntary contribution among the settlers. We having informed ourselves as fully as possible what seems to be the general wish of the inhabitants and their motives for sending us, viz., 1st, to give full information by answering such questions as may explain the rise and progress of abuses in the colony, and enable His Majesty's Ministers to apply such remedies as in their wisdom may seem meet ; 2ndly, to assure His Majesty's Ministers that the settlers had neither foreknowledge, act, or part, in what was

Settlers favour Bligh.

Proposal to send delegates Home.

Officers' shops.

Mason and Suttor as delegates.

Motives of the settlers in sending delegates to England.

1808 done on the 26th day of January last, and that their signatures
 20 Aug. were extorted under threats, terrors, and menaces; 3rdly, To pray
 that sufficient force may be sent out to reinstate you in your full
 authority, and take such measures with the guilty as may prevent a
 repetition of the like acts of rebellion. I have taken the earliest
 opportunity of communicating what I conceive to be the general
 wish of the inhabitants, in hopes that it will be some consolation
 for you to know that your measures are highly approved by every
 honest man in the colony, and the loss of your authority is severely
 felt by cultivators and others.

I have, &c.,

MARTIN MASOY.

GOVERNMENT AND GENERAL ORDER.*

21 Aug.

Headquarters, 21st August, 1808.

ROBERT FITZ, Esq., having been appointed by Major Johnston, on
 the 23rd of April last, to take upon himself the superintendence
 of the live stock belonging to Government, Lieutenant-Governor
 Foveaux confirms his appointment from that date.

SIR JOSEPH BANKS TO GEORGE CALEY. (Banks Papers.)

25 Aug.

Mr. Caley,

Soho Square, 25th August, 1808.

Banks cen-
 sures Caley.

I have been a long time prevented from writing to you by
 increasing age and infirmities, principally by having the gout upon
 me with severity at the times when opportunity of letters offered.
 You have in general been an active, a diligent, and an useful
 assistant to me in your present situation, and I have found you
 on many occasions to possess a strong understanding. I cannot,
 however, agree with you in the propriety of your having refus'd to
 deliver up the plants entrusted to your care by Mr. Brown, when
 Governor King came Home. The plants were given to you in trust
 that they might be sent Home when a good opportunity offer'd:
 and Governor King's return was a good opportunity, for many of
 the plants he brought came Home safe and in good condition.

Caley's dog
 and
 Marsden's
 rabbits.

Nor can I agree with you in your reasoning respecting the
 dispute you had with Mr. Marsden, concerning your dog and his
 rabbets. Mischievous animals, as dogs, are always to be restrain'd
 from damaging the quiet animals of their neighbours by their
 owners. Was it otherwise, how could our tame animals be kept in
 England? Our sheep pastures and warrens have no fences to keep
 dogs out of them. The keepers of dogs are, by law, requir'd
 either to keep such only as are not mischievous, or if they have
 mischievous ones, to restrain them from injuring their neighbours
 property, be it of what nature it may be.

Caley's
 services no
 longer
 needed.

I have grown of late years very infirm. My eyes fail me much,
 and I have not, of course, the pleasure I us'd to have in the per-
 suit of natural history. I have not, therefore, any longer occasion

* Reprinted from the *Sydney Gazette*, of 25th September, 1808.

for your services in the extensive manner in which you have employed yourself of collecting great quantities of articles. You deserve, however, some reward from me for your diligence and activity.

1808

25 Aug.

You have, I understand, the lease of a farm from Governor King. If you wish to employ yourself in the cultivation of it, or if you wish to return Home, I am willing to settle £50 a year upon you for your life, and to release you from all services to me beyond what you voluntarily wish to perform. You would probably chuse, if anything new should fall in your way, to send it to me ; but as I mean your annuity as a recompence for past services I shall not bind you to any future ones. 'Till I hear from you on this subject, and 'till the whole can be arrang'd and settled, every thing to go on as it has hitherto done.*

Banks will allow him £50 a year for life.

SIR JOSEPH BANKS TO GOVERNOR BLIGH.

My dear Sir,

Soho Square, 25th August, 1808.

I beg you to be assur'd that my long silence has not been owing to the least diminution of that friendship and respect to you which I have for so many years been proud to acknowledge. It has arisen entirely from an increase of bodily ill-health, and from my fits of the gout having accidentally had possession of me at the very time when opportunities of writing to you presented themselves.

Banks's silence.

I have never met with such a series of misconduct and of misrepresentation as has occur'd in the case of Lieut. Short. I am confident that it is a matter of study with him how he can most effectually offend and irritate those superiors with whom he is to act, in order to extort from them severities in return for his crimes, which he may afterwards complain of as oppressions and cruelties which render him deserving of compassion and recompence. Such was his conduct here, and so effectually did his claim for compassion operate upon the Court-Martial that tried him as to produce an unmerited and unsupported charge against you.† I was most unfortunate in being at the time confin'd to my bed. I could, therefore, only lie still, and let the storm blow over. I have since made application to Lord Mulgrave on your behalf, and, I hope, made good impression on His Lordship's mind, for he has sent to me copies of Coffin's letter and Tetley's affidavit by the hands of Barron, the Secretary, which I think are sufficient documents, when thus forwarded to me, who claim'd them as your friend in an official manner, to prove that the Admiralty admit that the censure of the Court had no foundation in evidence. I trust and hope, therefore, that all evil impression on that head is done away, as it ought to be, having no foundation whatever but in the ill-judging humanity of the Court, who meant more to do good to Short than

The case of Lieutenant Short.

Acquitted by Court-Martial.

Banks's influence with Government.

* The original (a draft) is unsigned. It is in the handwriting of Banks's clerk.

† It does not appear that there was any distinct charge levelled against Bligh except by implication. It was certainly alleged that he was instrumental in bringing Short to trial, and that he prompted Tetley to lay his complaints.

1888

25 Aug.

to do harm to you, and succeeded in having gotten an appointment for him in the *Sea Fencibles*, which will keep him, I trust, from being again brought into contact with you.

Rankin's
falling
sickness.

My declining health and increasing infirmities prevent me from knowing so much as I used to do of the circumstances of your colony, and the immense pressure of business in the Privy Council, now the whole trade of England must be carried on by license, had delayed the settlement of your colony, which I have been anxiously promoting for some time past. A ray of light has just beam'd upon us from Spain which may increase to the liberation of Europe from French tyranny. If anything like a settled state of affairs could be obtain'd, His Majesty's Ministers would then have time to do their business. All I hear in Lord Castlereagh's office, however, is in your favour: your talents, your perseverance, and your spirited conduct are spoken of in terms of praise, which flatter me, you may be sure, as much as they can do you.

European
policy.

The Under-
Secretary.

Our Government here appears firm and settled; no chance at present of any change. It was certainly good luck for you and for me that Cook,* who knows you and respects you, was hustled back into the place he fill'd when you were appointed. The Opposition have during the whole sitting of Parliament been more vexatious than I ever remember to have been the case; they declar'd their intentions to harrass public business as much as possible, in the hope of teasing Administration to resign. They, of course, lost in popular opinion much more than they gained by their unfair conduct. Both parties, when the session clos'd, look'd pale and sickly. Government people are recruiting fast, and I think will make a better fight next year than they did last.

Parliamentary
work.

Osley.

King arriv'd in good health, but has since been horribly man'd by the govt. He brought many valuable plants. I lament that those collected by Brown were left behind owing to Caley's obstinacy. I have written to him severely on this subject.† There can be no pretence, because these plants have been entrusted to his care by Brown, that they should not be sent to Europe by the first good opportunity. You mention in your last his having drawn upon me for money; this bill has not come to hand. Would it not be advisable for you to instruct Mrs. Bligh from time to time how much I am in your debt on his account? I shall most willingly settle account with her as often as you will permit me to do so.

Rankin's growing
old and
infirm.

I am much alter'd since you saw me—grown older and much more infirm. I think I shall not last much longer. I thank God I have had a long and a happy life, and that I am quite willing to resign it. At this moment I have no use of my left hand, and not much of my legs.‡

* Under-Secretary of State in the Colonial and War Department.

† See the preceding letter.

‡ The original is written in the handwriting of Sir Joseph's clerk. At the time of writing Rankin was 65 years of age. He lived till 1820.

GOVERNMENT STOCK.

707

A Return of Government Stock, and actual numbers remaining on the 25th August, 1898.

| Where kept. | Horned Cattle. | | | | | | | | | | Horses. | | | | | | Sheep. | | | | | | |
|---------------------------|----------------|------------------|---------------|----------|--------------|-------------|---------|--------------|----------------|--------|------------|-----------|--------|----------|--------------|--------|--------|--------------|-------------|----------|------------|------------|--------|
| | Bulls. | Cows and Calves. | Cows in Calf. | Heifers. | Bull Calves. | Cow Calves. | Stoers. | Work'g Oxen. | Plough'g Oxen. | Total. | Stallions. | Geldings. | Mares. | Fillies. | Horse Foals. | Total. | Rams. | Bred'g Ewes. | Young Ewes. | Wethers. | Ewe Lambs. | Ram Lambs. | Total. |
| Parramatta .. | 18 | 300 | 436 | 367 | 357 | 327 | 649 | 172 | 296 | 2,261 | 1 | 17 | 11 | 7 | 8 | 44 | 4 | 323 | 134 | 230 | 30 | 47 | 664 |
| Toongabbe .. | 2 | .. | 96 | .. | 13 | 14 | .. | .. | .. | 128 | .. | .. | 2 | .. | 1 | 3 | 4 | .. | .. | .. | .. | .. | 136 |
| Seven Hills .. | 2 | .. | 325 | .. | 306 | 325 | 331 | .. | 100 | 1,327 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Half-way Pond .. | .. | .. | 14 | 374 | 11 | 6 | .. | .. | .. | 404 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Race Ground .. | 6 | .. | 123 | .. | 16 | 6 | .. | .. | .. | 164 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Castle Hill .. | 2 | .. | 137 | 12 | 10 | 10 | .. | 17 | .. | 180 | .. | .. | .. | .. | .. | .. | .. | 323 | 134 | 146 | 30 | 27 | 664 |
| Prospect Creek .. | 2 | 270 | .. | .. | .. | .. | .. | .. | 236 | 663 | .. | 1 | 9 | 7 | 7 | 24 | .. | .. | .. | .. | .. | .. | .. |
| Devil's Back .. | .. | .. | 4 | .. | 1 | .. | 323 | .. | .. | 323 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Connors', King's Point .. | .. | .. | .. | .. | 2 | .. | .. | .. | .. | 2 | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. | .. |
| Bydney .. | .. | 20 | .. | .. | .. | .. | .. | 67 | .. | 67 | .. | 13 | .. | .. | .. | 13 | .. | .. | .. | .. | .. | .. | .. |
| Lent to diff't persons .. | .. | .. | .. | .. | .. | .. | .. | 33 | .. | 33 | .. | 3 | .. | .. | .. | 3 | .. | .. | .. | .. | .. | .. | .. |
| Total .. | 18 | 300 | 436 | 367 | 357 | 327 | 649 | 172 | 296 | 2,261 | 1 | 17 | 11 | 7 | 8 | 44 | 4 | 323 | 134 | 230 | 30 | 47 | 664 |

1898
25 Aug.
Government
Stock.

1808

GOVERNMENT AND GENERAL ORDER.*

25 Aug.

Headquarters, 25th August, 1808.

MR. JOHN WILLIAMSON is appointed a clerk in the Commissary's Office, from the date of Mr. Wilshire's resignation.

ROWLAND HASSALL TO THE LONDON MISSIONARY SOCIETY.

26 Aug.

26th August, 1808.

* * * * *

The
arrest
of Bligh.

The present state of this colony is not pleasant to a reflecting mind. In January last a revolution took place, wherein His Excellency Gov'r Bligh was deposed by the military, and remains under an arrest to this day. He has been used very ill by being detained in this colony seven months in suspense as a prisoner, and, as I was informed, not allowed to go off his premises. I have only to say, as I wrote to His Excellency Gov'r Bligh, that I was not one of that soliciting party (*re* Johnston's Order, 26th January, 1808†), neither do I know ten respectable inhabitants in the whole colony that knew anything of the business until after it took place; and I am told that if the inhabitants was asked the question at this day how they approved of the measures that have taken place, there would not be one in twenty that would approve of them. Therefore I leave you, as impartial gentlemen, to judge how above order accords with truth.

Hassall not a
party to the
arrest.

The popular
feeling in
favour of
Bligh.

Fulton
silenced

Neglect of
religion.

The effects of this revolution appear in the silencing of a most valuable sound divine, the Rev. H. Fulton. The churches are so neglected that on Sunday last I went to the church to hear Bro. Crook, where there were not more than six persons besides myself and family. The Lord's Day is so abused that even the present chief constable carts his firewood out of roads close to the church doors during Divine service. The generality of the publick are in constant alarm, wishing and expecting some alteration in the government; and the industrious settlers, many of them, are so distressed through the events, that they have nothing to pay their creditors, so that numbers of them will be ruined.

R. HASSALL.

GOVERNMENT AND GENERAL ORDER.

27 Aug.

27th August, 1808.

Convict
advocates.

LIEUTENANT-GOVERNOR FOVEAUX has learned, with equal indignation and surprise, that men who have been prisoners in the colony have so far forgotten their former condition as to obtrude themselves into the Courts of Justice in the character of counsellors and advocates.

* Reprinted from the *Sydney Gazette* of 25th September, 1808.

† Ante, p. 434. Hassall's statement concerning the signatures to the address is corroborated in a remarkable way by the evidence given at the trial of Johnston. Grimes (one of Johnston's witnesses) admitted that he signed the requisition for Bligh's arrest after the act. Grimes's name is the tenth on the list.

Determined to prevent the continuance of a practice as injurious to decency as it is in fact destructive of justice, Lieutenant-Governor Foveaux feels it incumbent on him to forbid any person from presuming to interfere with causes pending before the Courts without an especial license from him for that purpose ; and to apprise those who have been convicts that a disobedience of this injunction will be punished in the most exemplary manner. 1808
27 Aug. Lawyers' licenses.

All prisoners, with or without tickets-of-leave, who did not appear at the muster held at Sydney on the 25th instant, and who are not in the employment of Government, or indented to individuals, are directed to report themselves on Saturday next, the 3rd of September, those residing in the neighbourhood of Sydney, at the Secretary's office ; those of Parramatta, to Captain Kemp ; and those of the Hawkesbury to Lieutenant Bell ;—when these gentlemen will require information by whom each man is employed, the ship in which he came, and the time he has to serve. Attendance at muster.

Any prisoner who shall neglect to attend will be ordered into the gaol-gang at Sydney.

By command of His Honor the Lieutenant-Governor.

GOVERNMENT AND GENERAL ORDER.*

Headquarters, 27th August, 1808.

LIEUTENANT-GOVERNOR FOVEAUX has been pleased to appoint John Stroud to be storekeeper.

GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.†

Government House, Sydney,

My Lord, New South Wales, 31st August, 1708. 31 Aug.

1st. This is the first opportunity I have had of communicating with your Lordship since the sailing of the ship *Brothers* in April last.‡ I have been greatly embarrassed by not having any person by whom I could send Home my despatches. The friends about me, on whom I can depend, are so few that I cannot dispense with their assistance in my present situation ; but Captain Brooks, of the ship *Rose*, belonging to the house of Messrs. Campbell and Wilson, I am assured, will faithfully carry these to your Lordship's office, and under that confidence I shall commit them to his care. The accompanying dispatch is closed to the 30th June,§ and from that time this is continued. Bligh's despatches.

2nd. On the 24th of last month the *Recovery* transport arrived with troops under the orders of Captain Cummings, who paid not the least attention to me ; but the daily expectation of Lieutenant-Colonel Foveaux's arrival gave me hopes of a satisfactory change in affairs, and I had, to effect that purpose, prepared my secretary, Anticipating the arrival of Foveaux.

* Reprinted from the *Sydney Gazette* : of 25th September, 1808.

† A letter was sent on the same date, and much to the same effect, to the Hon. William Wellesley Pole, Secretary to the Admiralty. ; See the letter, p. 607, ante. § See the letter, p. 657, ante. The *Rose* did not sail until 18th September, 1808.

1808 Mr. Palmer, Commissary, and Mr. Fulton, Chaplain, to be the first
 31 Aug. persons to wait on him ; and, in order that your Lordship may be informed of what has passed between Colonel Foveaux and myself, I inclose the correspondence.*

Foveaux's
 arrival in
 the Sinclair.

3rd. He arrived in the Sinclair on the 28th, and the gentlemen got off to the ship in good time ; but the master, whose name is Jackson, refused to admit them on board. However, they delivered my introductory note (No. 1)† to Lieutenant-Colonel Foveaux, and brought me an answer from him (No. 2)‡, that "he had the honor to acknowledge the receipt of His Excellency Governor Bligh's note, and, although very unwell, would wait on him as soon as possible." Major Johnston, McArthur, and others soon got on board, and remained the day. I, therefore, the next morning, sent the same

Bligh de-
 mands to be
 reinstated.

gentlemen as before, with an order to Lieutenant-Colonel Foveaux (No. 3)§ to use his utmost endeavours to restore me to my authority, and they to represent the opinions of the loyal people of the colony. The same day he waited on me, accompanied by Mr. Finucane, his secretary, and presented a written paper, which he called his final determination on the consideration of my order to him, stating that he considered it beyond his authority to reinstate me in the Government. On my asking him if he meant to persist in such an opinion, and his replying he was determined to do so, I returned him his paper and desired he would communicate its contents by letter, which he did by No. 4,|| addressed to William Bligh, Esq., &c., &c.

Foveaux
 refuses.

Approbation
 of the Secre-
 tary of
 State.

4th. By Lieut.-Colonel Foveaux I had the honor to receive a letter from Mr. Cooke of the 31st December, 1807,¶ which gave me infinite satisfaction, as it expressed your Lordship's approbation of my conduct in the measures I was taking to prevent the barter of spirits, and your hopes that there would be no officer, or gentleman, or planter in the colony, who would not give me the most cordial assistance in any measure which had a tendency to remedy those evils which the intemperate use of spirits so universally generates. Had not the word "Private" been written on this letter, I should not have got it, for all public documents, although directed to me, are taken possession of as belonging to the concerns of the colony. Besides the guilt of this act, it is a most afflicting circumstance to know that these persons should be in possession of any of your Lordship's despatches.

Public
 documents
 intercepted.

Norfolk
 Island.

5th. Mr. Cooke's letter informed me also that Lieut.-Colonel Foveaux was to proceed to Norfolk Island, if not evacuated. Had I been in power, the partial evacuation might not have prevented your Lordship's designs being put into execution, but Lieut.-Colonel Foveaux seemed to think it not proper to proceed on this duty.

* For convenience of reference, and to preserve their continuity, the letters which passed between Bligh and Foveaux are grouped together and printed as enclosures to Bligh's despatches.

† Post, p. 712.

‡ Post, p. 713.

§ Post, p. 713.

|| Post, p. 713.

¶ Extracts from this letter will be found printed on p. 398, ante. There is one also from Viscount Castlereagh of the same date (ante, p. 399) which was doubtless sent at the same time, and opened by Johnston.

6th. On the 31st* the *Gazette* announced Lieutenant-Colonel Foveaux's assuming the administration of the Government; but no notice was taken of McArthur, as Colonial Secretary, with whom, however, it is known Lieutenant-Colonel Foveaux is on terms of great intimacy.

1808

31 Aug.

Foveaux assumes the Government.

Supplies from England.

7th. The very great supplies which your Lordship has caused to be sent out in the *Sinclair* and *Recovery* would have made the people rejoice, and firmly fixed the colony in affluence; but the loyal persons are not allowed to expect any benefits; and Lieutenant-Colonel Foveaux has dared to offer threats of indignity to my person, as may be seen by his letter (No 23†). The offence was my sending for an overseer to fill up a chasm in the road which prevented my daughter's carriage passing.

8th. By all the information I can obtain, the colonists are becoming more and more wretched. They had prepared addresses to Lieutenant-Colonel Foveaux, praying he would restore the Government to its former state, but before they got to Sydney he had announced his having taken the command of the colony, which deterred them from proceeding any farther, especially as the Civil Court, constituted by Major Johnston's precept, which had adjourned previous to Lieutenant-Colonel Foveaux's arrival, was ordered to re-assemble, and which certainly indicated that he approved of the former measures.

Bligh's friends amongst the settlers inland.

9th. With respect to myself, I remain a prisoner, with three centinels over me, as I have been since the 26th January; but Lieutenant-Colonel Foveaux has allowed the officers of the *Porpoise* to call on me, although he has positively refused to allow of my embarking unless on conditions of being a prisoner, which I have reprobated, as may be seen by letters from No. 6 to 12‡—indeed, I have refused to admit of any conditions; yet your Lordship will observe, by Lieutenant-Colonel Foveaux's letter of the 26th instant (No. 29§), it is questioned whether I mean to leave the colony, as if I was at full liberty so to do, whereas it is on condition of my going as a prisoner. The *Porpoise* is still under repair.

Sentinels over Bligh.

Proposals and conditions re Bligh's return to England.

10th. Very great fluctuations appears in the minds of the present rulers. The *Estramina* is sent to Port Dalrymple, and by her I wrote to Lieutenant-Governor Paterson (as herewith inclosed||) to use his utmost endeavours to suppress the mutiny of the New South Wales Corps under his command that I might proceed in the Government of the colony. We may expect the vessel to return in six weeks. Thus these persons are tearing the colony to pieces and endangering its very existence.

Bligh appeals to Paterson.

11th. On the 20th instant a brig called the *Eagle* sailed for Calcutta. I embraced the opportunity of writing to Lord Minto and Sir Edward Pellew on the subject of my confinement and the

Bligh informs Indian Government of his arrest.

* That is, the 31st July, 1808.

† Post, p. 719.

‡ Post, pp. 714-16.

§ Post, p. 721.

|| See Bligh to Paterson, 8th August, 1808, ante, p. 701.

1808

31 Aug.

deplorable state of the colony, submitting to their consideration how far they could send me relief until advice should be received from England. This vessel belongs to Messrs. Campbell and Company's house in India, and through them I got the despatches secretly conveyed on board. All I write is done in a most secret manner, as I am threatened with close confinement, and perhaps the gaol, in order to shorten my existence, but that Providence which has hitherto protected me still bears me up to bring about its wise purposes.

Advocates in
the Law
Courts.

12th. The *Gazette* of the 28th instant, which is herewith inclosed, contains an order* of Lieutenant-Colonel Foveaux, by which it would appear that counsellors and advocates who were formerly prisoners had been admitted into the Courts of this country by His Majesty's Governors. I cannot see why such orders were issued, unless by sending the *Gazette* to England it could be expected to impress an idea on the minds of His Majesty's Ministers that such things existed; but neither counsellors nor advocates were ever allowed to plead openly. The settlers and officers in general employed them to draw up their cases, and even Lieutenant-Colonel Foveaux, I am informed, has consulted them.

Bligh's
despatches
made public.

13th. I shall conclude by observing to your Lordship, in addition to what I have said in my despatch of the 30th of June (paragraphs 80 and 107†) respecting my letters to the Secretary of State being read in their Courts to elucidate my conduct and designs, as well as to inflame the minds of the people, that extracts are likewise taken and distributed, for some friend of Government has sent a copy of a few of them, which I here inclose, and it appears were found with Simeon Lord.

I have, &c.,

W'M BLIGH.

31st August, 1808.

COPY OF CORRESPONDENCE BETWEEN GOVERNOR BLIGH AND LIET.-COLONEL FOVEAUX from 28th July to the 31st August, 1808, including some orders and letters concerning the Porpoise, enclosed in despatch of 31st August, 1808.‡

[Enclosure No. 1.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

[On His Majesty's Service.]

Government House, 28th July, 1808.

Bligh's first
letter on
Foveaux's
arrival.

GOVERNOR Bligh presents his compliments to Colonel Foveaux, and has sent his secretary, Mr. Griffin, and his friends, Mr. Palmer and Mr. Fulton, to wait on him to request a private communication.

* See the Order of 27th August, ante, p. 708.

† Ante, pp. 663 and 671.

‡ The continuation of the Bligh-Foveaux correspondence will be found on pp. 748 to 749 and 791 to 795, post.

[Enclosure No. 2.]

1808

REPLY TO ABOVE.

On board the Sinclair, 28th July, 1808.

31 Aug.

LIEUTENANT-COLONEL Foveaux has the honor to acknowledge the receipt of His Excellency Governor Bligh's note, and, although very unwell, will wait on him as soon as possible.

Foveaux
will wait on
him.

[Enclosure No. 3.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

29th July, 1808.

HAVING been unwarrantably confined, and my government wrested and taken out of my hands on the 26th of January last, when the colony was in a most tranquil and high state of improvement, I yesterday sent, in order to state the same for your information, Mr. Commissary Palmer, Mr. Griffin, my secretary, and the Rev'd Mr. Fulton, to wait on you. As they were refused by the master of the ship to be admitted on board, and having heard that Major Johnston, Mr. John MacArthur, and other persons were afterwards admitted, I now send them again to represent my situation and the opinion of the loyal people of this colony, and do hereby request that they may have permission to see you, and that you use your utmost endeavours to reinstate me in my Government as representative of our most gracious Sovereign and as Captain-General and Governor-in-Chief.

Bligh
appeals to
Foveaux to
reinstate
him.

W^M BLIGH.

[Enclosure No. 4.]

REPLY TO ABOVE.

On Board the Sinclair,

Sir,

Port Jackson, 29th July, 1808.

In reply to your communication of this day's date, delivered to me by Mr. Griffin, I have to observe that as the government has been upwards of six months out of your hands, and as the affair has been submitted to His Majesty's Ministers, who alone are competent to decide, I cannot take it upon myself to judge between you and the officer whom I find in the actual command of the colony.

Foveaux
refuses to
interfere.

Untill the decision of His Majesty's Ministers shall be received, I conceive it to be beyond my authority to reinstate you in the Government, and it only remains for me to adopt such measures as I deem to be most effectual for the preservation of the public tranquility, the security of public and private property, and to follow, in the discharge of the arduous duties imposed upon me, a system of the strictest economy and the most impartial justice between persons of every description.

I have, &c.,

J. FOVEAUX.

1806

[Enclosure No. 5.]

GOVERNOR BLIGH TO LIEUTENANT KEYS.

22 Aug.

31st July, 1806.

Bligh's
last
prisoner.

WHEREAS on the 30th Novr last, I received an order from my Lords Commissioners of the Admiralty, dated the 27th February, 1807, to hoist and wear a broad pendant on board His Majesty's ship Porpoise, or some ship as might be on the station (a copy of which you will receive herewith; I immediately hoisted it on board His Majesty's Colonial schooner Escramade (as the Porpoise was then detached on a particular service, and as no man-of-war was in the harbour of Port Jackson) on board of which vessel it continued flying until the 27th January last, when it was hauled down by the directions of Major Johnston, commanding officer of the New South Wales Corps, who the day before confined me and usurped the government of this colony: and whereas the said Major Johnston prevented me from having any communication with His Majesty's ship Porpoise on her return on the 4th February, and continued to act in such manner up to this day except through his hands, allowing me to convey an acting commission to you, when Lieut-Colonel Foveaux being arrived, he granted you permission to communicate with me. You are, therefore, hereby required and directed to hoist and wear my broad pendant on board His Majesty's ship Porpoise, entering me on the ship's books as Commander: and you are to enter Mr. Edmund Griffin as my secretary, on a separate supernumerary list.

Bligh's
notes.W^m BLIGH

[Enclosure No. 6.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

Sir. Government House, Sydney, 1st August, 1806.

Bligh's
prisoner.

As by your letter of the 29th ulto you have declined reinstating me in my government, and as by your proclamation of the 31st published in a Gazette of yesterday, you have taken upon yourself the government of this colony, I request to know whether you intend to keep me a prisoner here.

I am &c.,

W^m BLIGH

[Enclosure No. 7.]

REPLY TO ABOVE.

Sir. Headquarters, 2nd August, 1806.

Bligh to be
allowed to
proceed to
England.

In answer to your letter of yesterday's date, I beg leave to acquaint you that I have no objection to your proceeding to England as soon as you think proper, either in the Porpoise, which I mean to send Home as soon as she shall be ready for sea, or in any other vessel more agreeable to yourself in which suitable accommodation can be procured.

I have, &c.,

J. FOVEAUX.

[Enclosure No. 8.]

1808

GOVERNOR BLIGH TO LIEUTENANT KENT.

3rd August, 1808.

31 Aug.

You are hereby required and directed to fit out His Majesty's ship Porpoise with the utmost dispatch, for the purpose of my proceeding to England as soon as possible, and you are to take care that she be completed with provisions, stores, and necessaries of all kinds for eight months.

The Porpoise
to be fitted.

W'M BLIGH.

[Enclosure No. 9.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

Sir, Government House, Sydney, 3rd August, 1808.

In reply to your letter of the 2nd instant, in answer to my letter of the day before, requesting to know if you meant to keep me a prisoner here, stating that you had no objection to my proceeding to England as I thought proper, either in the Porpoise or in any other vessel more agreeable to myself in which suitable accommodation can be procured,—I have to inform you that I have given orders to Captain Kent to get His Majesty's ship Porpoise in readiness for sea to receive myself and family, to proceed Home without delay.

Bligh
informs
Foveaux
of his orders
to Kent.

I am, &c.,

W'M BLIGH.

[Enclosure No. 10.]

REPLY TO ABOVE.

Sir, Headquarters, 4th August, 1808.

I beg to state to you that I have no objection to your proceeding to England in His Majesty's ship Porpoise; but it must be clearly understood by you that you are to consider yourself bound by the conditions to which you acceded previous to my arrival, on obtaining Major Johnston's consent to embark in that vessel.

Bligh must
not take
command.

Upon any other terms I am determined not to permit you to leave the colony while the command rests with me.

I have, &c.,

J. FOVEAUX.

[Enclosure No. 11.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

Sir, Government House, Sydney, 4th August, 1808.

I have received your letter of this day stating that you have no objection to my proceeding to England in His Majesty's ship Porpoise; but it must be clearly understood by me that I am to consider myself bound by the conditions to which I acceded, previous to your arrival, on obtaining Major Johnston's consent to embark in that vessel; and that upon any other terms you are determined not to permit me to leave the colony while the command rests with you.

Bligh's
reply.

1808
 H. B. N.
 Bligh will
 accept the
 conditions.

In reply thereto, I inform you that I will not enter into any conditions whatever, except returning to England immediately in command of His Majesty's ship Porpoise, bearing my broad pendant, which is at the peril of any one to tarnish or deprive me of.

Major Johnston closed all conditions and determinations of what was to be done with regard to the confinement I was put under, referring to Lieut-Gov^r Paterson, and next to yourself, to decide on the measures as soon as either might arrive. It now rests with you, Sir, to grant or refuse my proceeding in the Porpoise as before stated.

I am, &c., W^m BLIGH.

[Enclosure No. 12.]

REPLY TO ABOVE.

Sir,

Headquarters, 6th August, 1808.

Paterson is
 to see the

I have already stated to you in my letter of the 4th inst. the only conditions on which I can consent to your embarking for England.

Should you have any communication to make to Lieut-Gov^r Paterson, I beg leave to inform you that I have ordered a Colonial vessel to be got ready which will proceed to Port Dalrymple in the course of two or three days.

I have, &c.,

J. FOVEAUX.

[Enclosure No. 13.]

CONTINUING RANGE TO LIEUTENANT-COLONEL FOVEAUX.

Sir,

Government House, Sydney, 5th August, 1808.

Bligh &
 Johnston and
 others

On the 29th of March last I made application to Major Johnston for my commissions and all my books and papers which had been taken from me to be delivered up into my possession. In answer to this the next day I was informed by letter that on the following Friday such books and papers as he did not consider it expedient to retain would be sent to me. This not being fulfilled, I sent my secretary to Major Johnston to repeat my demand on the 5th May, in answer to which two days after I received the following letter:

I am, &c.,

W^m BLIGH.

[Enclosure No. 14.]

CONTINUING RANGE TO LIEUTENANT-COLONEL FOVEAUX.

A virtual
 demand.

You are hereby informed, I am, by His Majesty's appointment as Captain-General and Governor-in-Chief, called upon to repeat the purport of the foregoing, and particularly in His Majesty's name to call upon you to put me in possession of the commission with which he invested me, his instructions under the sign manual and those of the Right Hon^{ble} Viscount Castlereagh, His Majesty's Principal Secretary of State for the Colonies, my letter books of all kinds, and my books of my despatches or orders, together with all other papers I have been so intrenched of.

I am, &c.,

W^m BLIGH.

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

1808.

Sir, Headquarters, 9th August, 1808.

31 Aug.

I have referred your letter of yesterday to Major Johnston who is at present some distance from headquarters.

The matter referred to Johnston.

I annex a copy of my letter to him on that subject, and shall lose no time in communicating to you his answer.

I have, &c., J. FOVEAUX.

[Enclosure No. 15.]

LIEUT.-COLONEL FOVEAUX TO LIEUT.-COLONEL JOHNSTON.

Sir, Headquarters, 9th August, 1808.

I herewith transmit you a copy of a letter received yesterday from Capt. Bligh, requiring his commission, books, papers, &c., to be returned to him.

As I am determined not to interfere in the measures you have thought it expedient to adopt respecting Capt. Bligh's suspension from the Government previous to my arrival in the colony, I must leave it entirely to your judgment how far his request can be complied with.

Foveaux will not interfere.

I have, &c.,

J. FOVEAUX.

[Enclosure No. 16.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, 9th August, 1808.

I was much surprised at receiving a verbal message this morning by a person calling himself a gardner, intimating that he had been desired by you to inform me that no more vegetables were to be sent for my use from the Government garden. I beg to remind you that the garden is maintained at a very heavy expence, entirely defrayed by Government, and after a sufficient quantity of its produce is provided for your table (for which I have given my permission) you can have no pretence on any account to interfere in the distribution of the remainder.

Vegetables from the Government garden.

I have further to add that I shall in future take no notice of any communication you may find it necessary to make to me unless it be delivered in writing.

I have, &c.,

J. FOVEAUX.

[Enclosure No. 17.]

REPLY TO ABOVE.

Sir, Government House, Sydney, 9th August, 1808.

In answer to your letter of this day's date respecting the Government garden, I have to acquaint you that Thomas Alford, the Government gardner, having reported that the roots and vegetables were taken in such quantities out of the garden as would not leave a sufficiency for the use of the house, I told him no one was to have any without his representing it to me, except Colonel Foveaux, to whom I desired him to represent the want of glass for the pineapple plants.

Depletion of the garden.

I am, &c., W^M BLIGH.

1808

[Enclosure No. 18.]

SECRETARY GRIFFIN TO J. FINUCANE.

11 Aug.

Sir, Government House, Sydney, 10th August, 1808.

Removal of
a labourer

Thomas Allen, one of the labourers in the garden belonging to this house, having been taken away this day by the overseer of the working gang, I am directed by His Excellency Governor Bligh to request that you will be pleased to inform me if the overseer had authority for so doing.

I am, &c.,

EDMUND GRIFFIN

[Enclosure No. 19.]

REPLY TO ABOVE.

11th August, 1808.

by order of
Foveaux.

MR. FINUCANE'S compliments to Mr. Griffin. Begs leave to acquaint him that he finds Allen was ordered by Colonel Foveaux from the Government garden, it having been represented that a man could be spared from thence to assist in unloading the vessels lately arrived with supplies from England.

Mr. Finucane will esteem it a favor if Mr. Griffin will let him have a copy of Capt. Bligh's communication to Colonel Foveaux, of the 29th of last month, requiring to be reinstated in the Government.*

In the hurry of landing, Mr. F. has mislaid the original, and as it is necessary to send a copy of it to Lieut.-Governor Paterson by the Estramina, which will sail to-morrow, he takes the liberty of requesting Mr. Griffin will let him have one.

JAMES FINUCANE

[Enclosure No. 20.]

GRIFFIN'S REJOINDER.

Government House, 11th August, 1808.

Copy of a
letter.

MR. GRIFFIN'S compliments to Mr. Finucane. Incloses a copy of His Excellency the Governor's order of the 29th ulto. to Lieut.-Colonel Foveaux to reinstate him in his Government, as requested by Mr. Finucane in his note of this morning.

[Enclosure No. 21.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir,

Headquarters, 15th August, 1808.

Stationery
for the
public
service

Captain Jackson having mentioned to me that you have claimed a case of stationery as your private property which came out in the Sinclair, I beg to acquaint you that I know of none, except one, which has been sent to my quarters, directed from the Commissary-General's for the Governor's office here, which being evidently intended for the public service, I must decline giving up.

I have, &c.,

J. FOVEAUX.

* See enclosure No. 3, ante, p. 713.

[Enclosure No. 22.]

1808

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

Sir, Government House, Sydney, 15th August, 1808.

31 Aug.

In reply to your letter of this day's date, I have to observe that I made a particular request for stationary for my use, and therefore have no doubt that the case in question was sent as directed in consequence ; but as you decline giving it up to me, I must put up with the inconvenience. Bligh claims stationary.

I must also remark that such paper as has been sent out heretofore for the general use of His Majesty's service was always directed to the Commissary's office ; and I understand that a case of stationary so directed, of a much larger size than the one alluded to, has been received by the said ship.

I am, &c.,
W'M BLIGH.

[Enclosure No. 23.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, 15th August, 1808.

Some of the overseers having reported to me that you have thought proper to give them orders respecting the execution of parts of their duty, I must acquaint you that should you do so again I shall be under the necessity of taking some very effectual method of preventing any interference on your part in anything whatever relative to the affairs of this colony. Orders to overseers.

I have, &c.,
J. FOVEAUX.

[Enclosure No. 24.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

Sir, Government House, Sydney, 23rd August, 1808.

Referring to your letter of the 9th instant, I have to request to be informed when I may receive an answer to my letter of the 8th, respecting my papers being delivered up to me. Bligh's papers.

I am, &c.,
W'M BLIGH.

[Enclosure No. 25.]

REPLY TO ABOVE.

Sir, Headquarters, 23rd August, 1808.

I have sent a copy of your letter of this day to Major Johnston, with a request that he would give an immediate answer to the requisition contained in your letter of the 8th inst. An unintentional delay.

Had I not imagined that his answer had been conveyed directly to yourself, I should not have suffered such a length of time to elapse without letting you hear from me on that subject.

I have, &c.,
J. FOVEAUX.

1808

[Enclosure No. 26.]

LIEUTENANT KENT TO COMMODORE BLIGH.

31 Aug.

Sir, His Majesty's Ship Porpoise, 25th August, 1808.

Kent asks
Bligh's
orders re
attendance
on Criminal
Court.

In consequence of application having been made to me to sit as member on the Court of Criminal Jurisdiction, and you having in your orders of the 26th of August, 1806, ordered that two commissioned officers of His Majesty's ship Porpoise should attend as members on application being made by the Judge-Advocate,—I therefore wish to know if those orders are to be complied with, that I may be at liberty to sit as the law directs.

I am, &c.,
W^m KENT.

REPLY TO ABOVE.

Sir, Government House, Sydney, 25th August, 1808.

Bligh's
signature to
be Kent's
guide.

In answer to your letter of this morning, I am commanded by His Excellency Governor Bligh, Commodore Commanding His Majesty's ships and vessels here, to say that when you see his signature to any precept for a Criminal Court, then you are to obey his orders of the 26th August, 1806.

I am, &c.,
EDMUND GRIFFIN.

[Enclosure No. 27.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, 25th August, 1808.

Foveaux
asks for con-
firmation.

Enclosed I send you a copy of a letter from Capt. Kent to the Acting Judge-Advocate, informing him that he had received an order from you not to attend a Criminal Court unless your signature was to the precept.

I request to know whether the information communicated by Capt. Kent be correct.

I have, &c.,
J. FOVEAUX.

LIEUTENANT KENT TO CAPTAIN KEMP.*

Sir, 25th August, 1808.

Kent reports
his
inability to
sit.

Having seen the precept for attending a Court of Criminal Jurisdiction as one of the members, I have to inform you that, in consequence of having received an order from Commodore Bligh of this day's date, ordering me not to attend the Court of Criminal Judicature without his signature is to the precept, I have therefore to inform you I cannot attend.

I am, &c.,
W^m KENT.

[Enclosure No. 28.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

Bligh's
explanation.

Sir, Government House, Sydney, 25th August, 1808.

In answer to your letter of to-day, I inform you that Capt. Kent wrote to me to know if I would sanction his sitting as a member on a Criminal Court, agreeable to my orders of the 26th

* Captain Kemp was at this time Acting Judge-Advocate.

August, 1806. I wrote to him that when he saw my signature to a precept for a Criminal Court, he was to obey my orders of that date ; but I gave him no orders not to sit on a Criminal Court
The subject is at his own discretion.

I am, &c.

W^m BLIGH.

[Enclosure No. 29.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir,

Headquarters, 26th August, 1808.

I send you a copy of Major Johnston's reply to the requisition made by you in your letter of the 8th inst. for the restitution of your papers, &c.

Bligh's papers to be kept till Paterson's arrival.

For my own part, I wish to decline interfering until the arrival of Lt.-Gov^r Paterson, or until I receive a notification of his intention, unless, previous to either, it be your design to leave the colony, in which case I must adopt measures to obtain copies of such as may be necessary for carrying on the public business.

I have, &c.,

J. FOVEAUX.

[Enclosure in above.]

LIEUTENANT-COLONEL JOHNSTON TO LIEUTENANT-COLONEL FOVEAUX.

Sir,

25th August, 1808.

As I considered most of the papers which were taken from Government House necessary to the administration of the Government of the colony, I declined coming to any determination respecting their return until the arrival of Lt.-Gov^r Paterson or yourself, of which Captain Bligh was apprized on the 28th of May ; but, as you have relieved me in the command, I am ready, as I signified to you on your arrival, to deliver all the papers whenever you should be pleased to receive them.

Johnston's explanation.

I have, &c.,

GEO. JOHNSTON.*

COMMISSARY PALMER TO GOVERNOR BLIGH.

[Extracts.]

Sir,

Sydney, New South Wales, 31st August, 1808.

I beg leave to state to your Excellency in what manner I have been treated by Major George Johnston, of the New South Wales Corps, and those acting under him. About 7 o'clock in the evening of the 26th Jan'y last, he (the major), with the corps under him, marched from the barracks to the Government House and put your Excellency in confinement ; 'tis needless for me, I presume, to comment further on that head, your Excellency being in full possession of every transaction that took place there.

The events of 26th January.

* * * * *

Immediately after this transaction they surrounded my office, and not only seized upon the whole of my public and private books and papers, but also ordered the keys of the stores to be given up,

Palmer's office surrounded.

* See the continuation of this correspondence, post, pp. 748 to 749, and 791 to 795.

1808

31 Aug.

Palmer
placed under
arrest and
his papers
seized.

Ledgers
removed to
Macarthur's
house.

Palmer
prevented
from
making out
his accounts.

A survey of
the stores
taken.

Government
property
issued to
private
individuals.

and I was told by Adj't Minchin to consider myself under an arrest. They then put seals on the doors of the office, and placed a centinel at each door. A few days after Mr. Bayley, Mr. John Blaxland, and Mr. Garnham Blaxcell broke the seals of the office, and ordered my desk to be opened, and took therefrom such papers as they thought proper. They then seized my ledgers, books, and other papers, and gave them into the charge of a serjeant and centinels to take to Major Johnston's barracks, in order to be deposited there, where they remained until the 11th instant (a few days after the arrival of Lieut't-Col'l Foveaux), when they returned [them] to me. I further beg leave to state that a Mr. McArthur was appointed Colonial Secretary, a situation never before known in the colony, nor was ever permitted by authority. Soon after he came to act in that situation he took from Major Johnston three Government ledgers, and had them removed to his house, where they remained until I received them with the other papers.

I have to remark, not only the extreme hardship I laboured under for the want of my books, &c., but also the loss Government sustained by their detention, as it precluded me from making up my accounts or receiving any debts due from individuals to Government. I had been busily employed, prior to the seizure of my books, &c., in arranging and making, not only my accounts, required to be made up by the Auditor's Office, but also every account to the 31st December, 1807. I have to remark to your Excellency the reason of my accounts not being closed sooner was owing to the want of stationery, there being very little in the colony to be procured, and that at such an extravagant price that I purchased as little as I could possibly do with, being in daily expectation of receiving a supply from England. . . .

Thus far I have thought proper to relate to you the manner of the first procedure of this self-created Government, and shall proceed to state to your Excellency for your information what has been transacting since relative to my department. A few days after my suspension a survey was ordered on the provisions, stores, &c., remaining in the stores, and a report was not made thereon for several months afterwards, nor have I as yet received a copy of such report. Immediately on their receiving the keys of the stores, and even before a survey took place, they began to issue articles from the store, and continued until the stores were nearly drained.

One instance I beg leave to state: McArthur and Blaxcell received two p'rs of mill-stones (French burrs), and Henry Kable another p'r, as also the former thirty stand of new arms, no doubt for the express purpose of barter, as they were put on board, as I am well informed, the Parramatta schooner, bound to the South Seas as a sealer. The stones were fixed in a mill of theirs. The colony has suffered greatly by the disposal of these stones, as they were intended to have been sent by you to the infant settlements

in order to grind their grain, and which they are much in want of. It is not only their receiving out of the stores the things abovementioned, but also they have received a large quantity of cordage, iron, canvas, sails, and slops to supply their vessels, &c., and besides various other things never intended to be disposed of, having been sent out for the express purpose of His Majesty's vessels, and for other Government purposes. The officers of the New South Wales Corps, McArthur, Blaxcell, Nichols, &c., were drawing daily articles from the stores. Some of them, as I before stated, were valuable to Government, and had not a supply been recently received, the colony must have felt it severely, as the soldiers received trowsers, frocks, shirts, &c., which were sent out for the clothing of the prisoners, and drained the stores of every necessary article. The prisoners could not, or did not, receive more than a part of what they otherwise might have had, and were entitled to; thus the prisoners were almost left naked. Again, McArthur, having the sole management of all affairs relative to the colony, taking upon himself the ordering every matter belonging to Government, has been disposing of several hundred head of cattle, chiefly to the military and their favorites, and some to settlers for grain, many of whom will never have it in their power to pay, being neither persons of property at present, nor of any likelihood of ever being so. Besides, from the first of his self-appointed situation he has been delivering into the stores at Parramatta several hundred pounds of mutton weekly, some [of] which was of a very bad quality, and receiving out of the stores here fresh as well as salt meat in lieu of part thereof.

1808
31 Aug.

Clothing for
soldiers.

Government
cattle
disposed of.

The
Government
factory.

John
Macarthur.

The factory, which was a great benefit to the colony, he took from Government, and got the same into his own and his emissaries hands in order to work up his wool. By this cunning and art he has not only turned his mutton into store, the greater part of which was very old and poor, which caused a great discontent among those who received their rations from the store at Parramatta; but such was his tyranny that upon any complaint being made he not only used severe threats of oppression but did actually send the persons to hard labour, or the Coal River, there to work in the mines. One instance of his tyrannical disposition amongst the many: Taking the advantage of my ledgers not being closed, he ordered a debt list to be made out, and, because one of my clerks told him that he could not make out the same correct, nor could any person without my assistance, as he did not know what credit was to be given to many persons, nor having the settlement of the same, he reviled and loaded him with every vile epithet imaginable, and ordered him to be sent to the Coal River if he did not immediately set about making out such list, which he was obliged to do, and such list he now detains in his possession—for what purpose I know not. One other instance of the sinister

| | |
|--|---|
| 1808
31 Aug.
Distribution
of spirits. | <p>views of McArthur I beg leave to state: A quantity of spirits was bonded in the stores, which was at two different times disposed of to the military officers, and a few of the civil, which they sold afterwards to individuals at the rate of £3 and £3 5a per gallon; there being a quantity of wine and porter disposed of also to his favorite banditti, the casks wherein the same was contained were received by him and Blaxcell into the stores, and one gallon of spirits granted by his permit to the individual returning the same in. What became of those casks is a mystery, as few or none of them has been converted to Government purposes; but the greater part, if I am well informed, were filled with salt, flour, &c., and put on board their vessels for their private trade. One other remark I beg leave to make is that, in order to keep the military quiet, and induce them to praise the change of government, they having seven pounds of fresh beef at Sydney, and at Parramatta seven pounds of fresh mutton, served to them weekly as a ration, besides an additional quantity of grain, whereas the prisoners only received two pounds of pork or three and half pounds of beef.* I only mention this to show you the villainous and tyrannical part they acted, for in times of scarcity it is well known, in every former Governor's time, that the soldiers and prisoners were on the same ration; but this was done, as they feared a revolt would take place, to secure their affections, and attach them more strongly to their rebellious party; but that is not the worst, if we look to the consequence of their killing 8 or 10 bullocks a week for these sixteen weeks or upwards, which has not only lessened Government herds greatly, but also deprived the industrious settlers of receiving them for payment in order to till their ground, as I know it was your intention so to assist the settlers in their agricultural pursuits, and thereby enable them to get forward with the tillage of their land, and lessen the price of grain.</p> |
| Bribing the
soldiers. | |
| Killing off
the cattle. | |
| Government
cattle killed
and sold. | <p style="text-align: center;">* * * * *</p> <p>The decrease of Government stock in a little better than six months will stand thus:—Killed at the store, upwards of 280 bullocks; disposed of for wheat, 120 cows (the greater part of these were choice cows selected by McArthur to his favorites); at sale by public auction, 77 cows, Bengal breed—altogether 477 head, besides a great number given to favorite individuals, which are to be returned in kind, the number I have not been able to learn.</p> |
| Numbers
sold but not
paid for. | <p style="text-align: center;">* * * * *</p> <p>I now beg leave to state to your Excellency a few of the names amongst the many that have received cows for payment:—Mr. Fitz Deputy Commiss'y, 10—not settled for; Mr. Blaxcell (McArthur's partner), 14—not settled for; Lieut. Lawson, 16—2 only settled for; F——, formerly a prisoner, now appointed constable at the</p> |

* The only General Order dealing with the ration promulgated for some time after the arrest of Bligh was that of 5th February, 1808, ante, p. 515, from which it appears that Palmer's statements were exaggerated, although the military were certainly favoured.

Hawkesbury, 7—2 only settled for ; I—— N——, formerly a prisoner, 12—not settled for ; Ratigan, dealer for the officers of the New South Wales Corps, 8—4 paid for ; S——T——, formerly a prisoner, 4—2 only settled for ; besides many more from 3 to four each not settled for ; therefore, as far as I am able to learn, out of the 120 cows disposed of, and of the 77 sold by public auction, there appears now to be accounted for to Government upwards of 100 head of cattle, and 'tis not likely that any of them, or at least the greater part of them, can be paid for before next harvest, and I am afraid many never will.

1808
31 Aug.

I have further to remark to your Excellency the large quantities of fresh beef McArthur received from the stores, sometimes 60 lbs., 80 lbs., and as far as 137 lbs. weekly, exclusive of a proportion of tripe, hearts, offal, &c., and I myself never received more than 7 lbs. He has endeavoured by every subtle means whatever to demand and receive ten times the quantity any other person had of every species, and by his vile, artful, tyrannick, and oppressive manner, no person was at liberty to notice it, as he took care to get such books where entries were made of the same into his own hands and by that means prevented even the Acting Commissary himself to check him. However, to a stranger it would be a convincing proof of some base underhand dealing about to be practised by him in the sequestration of the books or returns from the different stores, as well as from the storekeepers' returns, as it totally put it out of the power of any person except his chosen few to make any discovery of his vile intentions.

Fresh meat
appropriated by
Macarthur.

The vile machinations of McArthur and the good he has rendered the colony, will be seen by your Excellency in the following statement:—

| | £ | s | d | |
|---|---------|-----|-----|---|
| Cows disposed of as before stated, 197 in No. | 5,516 | 0 | 0 | Value of
stock and
stores
disposed of. |
| Bullocks killed at the public store, 280 head | 7,840 | 0 | 0 | |
| Exclusive of cattle given to different people, to be
paid in kind and as gifts | | | | |
| | £13,356 | 0 | 0 | |
| Grain returned in for the above | 2,342 | 5 | 0 | |
| Leave a balance | £11,013 | 15 | 0 | |
| Articles issued from the store, exclusive of Govern-
ment purposes | 2,374 | 10 | 11½ | |
| Various purchases made... | 1,690 | 3 | 2 | |
| | £4,064 | 14 | 1½ | |
| Grain received for payment of articles... | £175 | 0 | 0 | |
| Copper coin received | 524 | 6 | 6 | |
| | | 699 | 6 | 6 |
| Balance | £3,365 | 7 | 7½ | |

One thing further I wish to advert to, your Excellency, and that is respecting my suspension. I have never had any specific charge or reason assigned for the same except vague report ; and what

Palmer's
suspension.

1888
11 Aug.

Professions
of assistance.

charges they have or might have to a Judge against me. I am at a loss to know, for I can assure your Excellency I have never in the execution of my duty as Commissioner, which I have now held for upwards of eighteen years past, and never had the most trivial charge or complaint alleged against me: and had it not been for the party spirit of rebels, not even the slightest charge whatever would have been thought of for I can safely say that I never swerved from the path of rectitude, but always had the interest of the colony at heart as well as the different settlements, and I am fully convinced in my own mind that I have always made it my chiefest study to assist the industrious settler and promote their interest, conceiving it to be for the material interest of the Government, as well as the advancement of the colony.

+ + + + +
JNO. PALMER,
Commissioner.

LIEUTENANT-GOVERNOR COLLINS TO VISCOUNTY CASTLEREAGH
Government House, Hobart Town,

1 Sept.

My Lord, Van Diemen's Land, 1st September, 1858.

The removal
of settlers
from Norfolk Island.

I have the honor to acquaint your Lordship that since the date of my letter of the 20th April 1857,* duplicate of which is herewith inclosed, the business of evacuating Norfolk Island has proceeded but slowly, owing, I apprehend, to the season of the year being unfavorable to communicating with the settlement. Within that time I have only received a small party of settlers, which arrived on the 5th June last, in one of the Colonial vessels—the *Esmeralda* schooner. The number landed from her was 13 settlers, 16 individuals not holding land, 8 women, 22 children, and 1 servant, making a general total of 333 persons received from Norfolk Island.

Supplies
expected
from
Sydney.

I have been for some time expecting the arrival of the *City of Edinburgh*, a ship of upwards of 500 tons burthen, with a supply of beef and pork, and a considerable body of settlers and people from Norfolk Island. Of this circumstance I was informed by Major Johnston, whose great attention to this settlement since he has been in the Government at Port Jackson I think it my duty to represent to your Lordship.

Delay of the
City of Edinburgh.

I understand by Major Johnston's letter this ship was to sail from Sydney for Norfolk Island on or about the 16th of May last. As the winter season was so far advanced, it became impossible to calculate upon the time in which she might probably arrive here, since it has been known that ships have been blown off from the island for five or six weeks together. I, therefore, on the 20th ultimo, finding she had not appeared, thought it prudent to reduce one-half of the ration of salted meat, and once more have recourse to the woods for assistance. We had at this time only five weeks of that article remaining, which, if the casks

Rations
reduced.

* An error; should be 20th April, 1858—ante, p. 508.

ran their marked contents, would be extended to ten, within which time I cannot but think supplies will reach us. The kangaroo is issued, pursuant to instructions formerly received from Governor Bligh on that head, in the proportion of 7 lbs. of kangaroo to 4 lbs. of pork, and pound for pound when beef is part of the ration. The price paid for it by Government is one shilling per pound, not being able to procure it on cheaper terms. Our numbers will, however, very soon become too extensive to admit of trusting to this precarious mode of supply, neither do I think I should be able to procure it in sufficient quantity, particularly during the summer season, when it will be impossible to preserve it in a state fit for issuing from the distance at which it is even now to be found, since the more these animals are hunted the further they are driven into the interior.

1808
1 Sept.

I am happy to find this alteration in their ration has not excited any murmuring among the settlers from Norfolk Island, several of whom, ignorant and low characters, have not hesitated to express their dissatisfaction with myself, because it has not been in my power to fulfill the promises of Government to the extent of their claims. But from them and their discontents I have nothing to apprehend, for although my military force is weak, yet upon their adherence to me I can depend, and upon the voluntary services of the civil officers of the settlement.

Disaffected
settlers.

Of these people there are several who, although they arrived late, yet have they got three or four acres in wheat, and manifest a disposition for industry. In process of time, I trust, as they acquire property in the country, they will become interested in its welfare, and prove a valuable addition to its internal defence.

Industrious
islanders.

I have, &c.,

DAVID COLLINS.

COLONEL TENCH TO EDWARD MACARTHUR.* (Macarthur Papers.)

My dear Edward, Plymouth, 2nd September, 1808.

2 Sept.

I have read with much interest the various accounts in the newspapers relative to the late transactions in New South Wales, and to-day your uncle was so obliging as to put into my hand your letter to him, written just previous to your landing in England. I went through it twice with the deepest attention and the most lively feelings on your dear father's and mother's account; and after having given the best consideration in my power to your statements I was firmly and decidedly of opinion that Governor Bligh, by tyranny, oppression, and rapacity, has drawn upon himself the just resentment of the inhabitants of the colony, and met with that spirited opposition and final defeat which I trust all unprincipled despots, whether in courts or cottages, always will encounter. I presume

Tench on
the arrest of
Bligh.

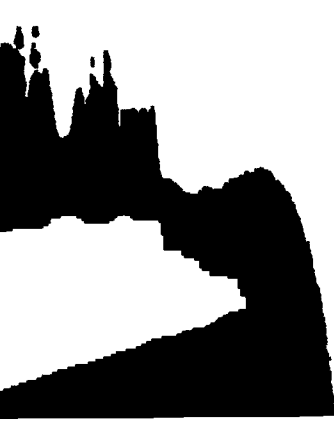
* This letter was written just after the arrival of Edward Macarthur in England with Johnston's despatches announcing the arrest of Bligh.

HISTORICAL RECORDS OF NEW SOUTH WALES

circumstances that a complete reconciliation has taken place between Mr. Norton and your father, and I fervently trust that no discord or disunion between them will ever again be feared to act with such promptitude and energy as to be assuredly not betray their own cause by quibbling or equivocation. As I fully hope and believe, Governor Macleay, in a most equitable hearing, I do not fear but that the result will be a durable one for those whose welfare I so anxiously have at heart. I am firmly persuaded that the decision will be preferable to all half measures, though the appearances have been sufficient to overcome the doubts against whom they would have been made under the feather-bed made me in the least, as I had long possessed a friend who had served with Governor Macleay was not only a tyrant but a poltroon. The good sense which marks every part of your letter lessens the uneasiness I should otherwise feel; but let me, my dear boy, recommend reserve in all your conversations on the occurrence in the great town where you now reside there are many persons of supplying Government with intelligence who may be induced to reveal the material assistance which you have rendered to ask for any aid connected with the business of the tables of Government and to give a more unreserved opinion on the subject of your father's attention and the health and integrity of your father.

Yours, &c.,
W. TENNANT

RECEIVED BY THE HON. THE SECRETARY OF THE COLONY
18th September, 1854
The Hon. the Secretary of the Colony is a Deputy Commissioner of the Police during the suspension of the law.
The Hon. the Secretary of the Colony is a Deputy Commissioner of the Police during the suspension of the law.
The Hon. the Secretary of the Colony is a Deputy Commissioner of the Police during the suspension of the law.



government of this country, and will enable your Lordship to conceive my surprize and concern at finding myself call'd upon at the moment of my arrival to assume the command of the colony, under circumstances so very unexpected and embarrassing.

1808

4 Sept.

On approaching the harbour on the 28th of July, it was reported to me that Governor Bligh was in a state of arrest, and in a few minutes after I received this information a letter was delivered to me from the Governor, in which he desired an interview at Government House.*

Bligh
approaches
Foveaux.

The astonishment I felt at the report of the Governor's arrest was increased on observing that, in naming the persons he had deputed to wait upon me, he had spoken of a Mr. Fulton (a man whom I had known in Norfolk Island in the condition of an emancipated convict) as his friend; and this circumstance strongly tended to confirm the information I had at first received—that the Governor had been chiefly guided by persons of that class, in following whose advice, it has been since proved to me, he had so violated private property, and had so tyrannized over the colonists, that nothing but his removal from the government could have prevented an insurrection, with all its attendant miseries.

Bad
company.

When my arrival was announced to Major Johnston, he waited on me on board the Sinclair, and having briefly reported the state of the colony, and the circumstances which induced him to assume the command, he submitted to me copies of his letters to your Lordship, with their numerous inclosures.

Johnston
and
Foveaux.

When I had examined them, and made every enquiry from those persons whom I knew to be most capable of giving me correct information, and on whose word, from my knowledge of their characters and veracity, I could place every confidence, my mind was fully satisfied of the unavoidable necessity of the measures which had been taken, and that I had no choice left me but to maintain the Government in the way it was resigned into my hands.

Foveaux's
decision.

On the following morning the same persons who had before waited on me from the Governor came on board, and delivered to me a written requisition† from him to use every means in my power to reinstate him in the Government; but as I had by this time received the most convincing evidence of the abhorrence in which he is held, and that he had not only oppressed the colonists by the most unheard-of means; but, in the execution of a plan to improve his own fortune, had sacrificed the interests of Government by a wasteful expenditure of the public stores, and the most glaring appropriation of the live stock and labourers of the Crown to his own private purposes, I resolved on seeing him, and explicitly communicating my determination not to comply with his request.

Bligh
demands to
be rein-
stated.

* See Bligh to Foveaux, 28th July, 1808, ante, p. 712.

† See Bligh to Foveaux, 29th July, 1808, ante, p. 713.

1808

4 Sept.

On my landing (on the 29th of July), I was met by the whole body of officers, civil and military, and the principal inhabitants, with the exception of a few who have been pointed out in Major Johnston's letters as the promoters of the disorders of violence which were committed under the Government of Captain Bligh.

Foveaux's
reply.

Immediately after, I waited on the Governor at Government House, and on our meeting presented him with a paper* containing my resolution not to interfere with his suspension, which, having read, he requested that it might be put in the form of a letter, and after a general and uninteresting conversation, we parted.

Having referred to Lord Hobart's instructions, dated 24th June, 1803,† I assumed the command of the colony as Acting Lieutenant-Governor, in the absence of Lieutenant-Governor Paterson, which I signified by a proclamation,‡ and at the same time I made arrangements to despatch the Colonial vessel *Estramina* to Port Dalrymple to report my arrival and the steps I had taken.

He sends for
Paterson.

A few days unavoidably passed in preparing the vessel for sea, and adverse winds prevented her proceeding on her voyage till the 21st of August.

I have the honor to enclose your Lordship a copy of my letter§ by the *Estramina*, by which you will more fully learn my opinion with regard to the state of the colony previous to my arrival, and the general sentiments which prevail amongst all classes of the people at the time of my taking command.

The
Lieutenant-
Governor-
ship.

Your Lordship will have naturally entertained an expectation from the letters of Major Johnston, wherein he reported his intention to dispatch His Majesty's ship *Porpoise* to Port Dalrymple, in compliance with Lieutenant-Governor Paterson's order, that I should find the latter in the command of the colony; but I have to lament that an erroneous report which had reached him of my holding the appointment of Lieutenant-Governor of the territory, operated so forcibly on his mind as to prevent him from leaving Port Dalrymple, as is explained in the enclosed letter.¶

H.M.S.
Porpoise.

Your Lordship will also learn from my letter to Lieut-Governor Paterson, that the *Porpoise* unfortunately struck the ground and was very materially injured at Port Dalrymple when I sent thither for the Lieutenant-Governor, and that when her repairs are completed, great difficulties are to be apprehended respecting her future disposal, Governor Bligh continuing to manifest a resolution to perplex the public service by every artifice in his power, and by obliging the acting-commander of that vessel, by his order, to pay no attention to the requisitions I have found it necessary to make.

The short time I have in the settlement, and the variety of urgent and unpleasant matters which have pressed upon my

* See Foveaux to Bligh, 29th July, 1808, ante, p. 713. † Post, p. 735. ‡ Ante, p. 701.

§ Printed as an enclosure, post, p. 736. Its proper place, chronologically, is p. 702, ante.

¶ Ante, p. 637.

attention, have prevented me from preparing returns of the state of the colony ; but it is with much pleasure, I assure your Lordship, that a system of the strictest economy has been observed ever since the suspension of Governor Bligh's authority, and that the utmost attention has been paid to supply the dependant settlements of Port Dalrymple and the Derwent ; insomuch that Lieut. Governor Paterson has reported the former to be in the possession of provisions for 12 months, and Lieut. Governor Collins has requested that no more might be sent to him, as he wanted sufficient storehouses to contain them.

1808
4 Sept.

The subordinate settlements.

I have every reason to believe that the whole amount of the expences incurred during the command of Major Johnston, for which it will be needful to draw bills on His Majesty's Treasury, will not exceed £4,000.

Expenditure.

But though it has been that officer's particular wish to close his public accounts to forward by this conveyance, so many obstacles have been created in the Commissary's office that it has been found impossible to get them made up.

Having found Mr. Fitz one of the Deputy Commissarys appointed by Major Johnston to adopt means for the preservation and improvement of the Government herds of cattle, which have been in a state of the greatest confusion and rapidly declining, I have confirmed the appointment, and have ordered him to be entirely employed in the management of that very important concern, which now requires an increased degree of care from the neglect which it suffered under the direction of Superintendant Jamison.

Robert Fitz.

A person by the name of Hume, who succeeded the former superintendant, has proved so unworthy by indications of dishonesty as his predecessor was from inattention, and he, therefore, has also been dismissed.*

Andrew Hume.

This circumstance has considerably augmented the labours of Mr. Fitz, and placed him under the necessity of often travelling from one extremity of this settlement to the other, for which, as it also puts him to a great expence, I have promised to allow him a compensation of ten shillings per day, to be paid in cattle, the produce of the herds, at £28 each.

Fitz's remuneration.

The integrity and diligence of Mr. Fitz makes me feel confident that the public interest will derive great advantages from this management, and I respectfully hope that as no real additional expense will be incurred it will receive your Lordship's approbation.

I enclose a return of the present state of the cattle,† and as the herds are now all properly divided, and the animals of different kinds separated from each other, it may be expected that their increase will be great and their condition much improved.

Live stock.

* Ante, p. 591.

† This enclosure has been separated from its covering letter. It was evidently the return of 25th August, printed on p. 707, ante.

1800

4 Sept.

It will be satisfactory to your Lordship to learn that grain of every kind is now in the greatest abundance thro'out the settlement, and that the growing crops bear the most promising appearance.

An excess
of grain.

I have not as yet had time to remove from headquarters, but I am informed there is an immense quantity of maize lying unhoused and perishing, the owners setting but little value upon it for want of a market. This is an evil which cannot but prove a great check upon industry, and will, I fear, be a long time before it can be obviated; but as the rearing and feeding of hogs will occasion a great consumption of corn, I intend to offer 1s per pound for swines' flesh for the use of His Majesty's stores, which, by increasing the demand for grain, will tend to encourage the cultivation, and thereby promote the interest of the colony.

First meat.

I also intend to offer the same price for beef and mutton, for unless the grazier can find a certain market for his produce, the colony will yet be many years dependent on Great Britain for a large portion necessary for the supply of its inhabitants.

When this price has operated to increase the quantity equal to the demand, there will be a competition amongst the breeders, and that competition will naturally produce abundance in the market at a reduced price.

Government
cattle
exchanged
for wheat.

The ~~indirect~~ exchange which has been made by Major Johnston of the aged and refuse cattle from the Government herds has obtained a supply of near 12,000 bushels of wheat and maize, and ~~arrangements~~ have been made for the receipt of as much more upon the same terms as will abundantly supply this settlement for the remainder of the present year. Twenty-eight pounds per head has been the price fixed on the cattle, and the wheat taken in exchange from the settlers has been received at ten shillings, and the maize at five shillings per bushel. A great saving of salt provisions has also arisen from supplying the civil and military establishments with fresh beef.

Disbursements
expended
for.

Complete returns will, I hope, be got ready previous to the arrival of Lieut-Governor Paterson, of every receipt and expenditure that has taken place in His Majesty's stores; and if unexpected circumstances should detain the Lieut-Governor at Port Jackson, they shall, when made out, be transmitted to your Lordship, with the survey of remains of provisions and stores which was taken on the suspension of Mr. Palmer.

A report
of stores.

At the same time that I assure your Lordship that no exertion of mine shall be wanting to enforce the performance of this necessary duty, I am compelled to represent that it will be obtained with difficulty, because the greater part of the persons employ'd in the Commissary's office are not to be depended upon, the whole being averse to the economical system that has been introduced, and anxious to be restored to the enjoyment of their former enormous perquisites.

It appears that from the commencement of Captain Bligh's Government the public property has been made a prey of by the lowest assistants in Mr. Palmer's office, who, closely following the example set them by their superiors, have carried their depredations to a surprising extent, which they have accomplish'd with the greatest artifice and success ; and, altho' the fact is unquestionable, it would be impossible, in the peculiar situation of the colony, to find persons more honestly disposed to fill their places should their removal be attempted.

1808

4 Sept.

However, as I am convinced that unless some striking example be made, the abuses introduced by Mr. Palmer can never be effectually eradicated, I am determined to turn my attention to that particular object, in the hope of devising means to ensure the public conviction of some of the principal delinquents in that department.

Abuses in
the Commis-
sary's de-
partment.

Another equally important consideration will be in what manner to correct the pernicious effects which have arisen from Governor Bligh's encouragement of a class of persons who have most successfully employ'd themselves in promoting a spirit of litigation in the colony under the guidance and example of the notorious George Crossley.

Litigious
colonists

There are at least one thousand suits now pending before the Court of Civil Judicature, which may be expected to give rise to numerous appeals, and these will be render'd so intricate by artful statements, supported by false oaths, that it will be almost impossible to discover the truth ; and such great uncertainty prevails that people of character, whose claims are just, often prefer sacrificing their property to encountering the difficulties and delays of a legal process, or to be exposed to the horrible calumnies which the wretches who have been suffered to officiate as lawyers never fail to invent, and prepare evidence to support.

Legal
accumula-
tion.

As a preliminary to the reform of this monstrous abuse, I have considered it adviseable to forbid any person from interfering without proper authority in the management of causes pending before the Court.

Before I terminate this subject, it is incumbent on me to acquaint your Lordship that, although Major Johnston did not intend to appoint an Acting Judge-Advocate until the arrival of the Lieutenant-Governor or myself, the urgent state of the affairs of the colony obliged him to depart from this resolution, and to name Captain Kemp, of the New South Wales Corps, to perform the duties of that office.

Judge-
Advocate
Kemp.

That officer accepted the appointment with great reluctance, and with the positive assurance that he should be relieved from it whenever a proper person could be found to succeed him.

At the first Criminal Court which assembled after Captain Kemp's appointment, Mr. Gore, the suspended Provost-Marshal,

1800

4 Sept.

was in the ordinary course of business, brought up for trial on a charge of perjury prefer'd against him by the officers of the Court accused by Governor Bligh of treasonable practices (the particulars of which have been detailed to your Lordship in Major Johnston's letter of the 11th of April last).

Private
Matters
Court.

Mr. Gree having contumaciously disputed the legality of the Court, and refused to plead to the indictment, there remained no alternative but to pass the sentence of the law upon him, which was that he should be transported for the term of seven years, in consequence of which he was sent to the Coal River by Major Johnston.

As
impracticable
character.

A moderate volume would not be sufficient to contain a statement of the frauds and offences committed by this man since the first moment of his arrival in the colony: and, altho' his character of crimes were perfectly known to Governor Bligh, and persons whom he had swindled frequently solicited redress, he was suffered to proceed with impunity upon the laws, and to indulge himself in the most expensive habits at the cost of the unfortunate people whom he plundered and insulted.

A small
copy.

It is with the utmost satisfaction I am enabled to confirm to your Lordship the high character which all former Governors have justly given of the good conduct and strict discipline of the New South Wales Corps, and that I can assure you, with the utmost truth, that their claim to approbation has not been in the slightest degree shaken by the late events which have agitated the colony—a circumstance the more remarkable when the exasperating conduct and intemperate language used by Governor Bligh towards them on a variety of occasions is considered.

Embarrassment
Matters
Matters
Matters.

After the length of time the colony has been established, it will, perhaps, surprise your Lordship to learn that there are not barracks enough for more than half the strength of the regiment, and that what are built are unprovided with the usual furniture, and have neither kitchen nor cooking places nor, in fact, any of the accommodations requisite for the comfort or convenience of the officers or soldiers, and that they are without any fence or enclosure, and consequently, there is no other security to prevent the men from mixing with the natives than their own good inclinations and sense of propriety.

The main
inconvenience.

The reinforcements which arrived in the Sinclair and Recovery have been obliged to quarter in one of the granaries, and, altho' the building is almost indispensable for the purpose for which it was constructed, yet the soldiers must continue to occupy it until some addition can be made to the barracks, which, from want of artificers and properly qualified superintendants, will be a work of much difficulty, and will require a considerable time to execute.

At present the principal artificers are employ'd in erecting a substantial stone storehouse at Parramatta, the old one having entirely fallen into ruin. Much inconvenience and expence has been hitherto sustained by building the stores at a distance from the waterside. The new store now building is situated so close to the water that boats of burden can approach it and receive and discharge their cargoes with the greatest ease, and without the expence of any additional labourers.

1808

4 Sept.

Store-house
at Parra-
matta.

Government having no land possessing this advantage of situation are indebted to Mr. McArthur for the grant of an acre and a half, which will be sufficient for a very extensive range of buildings, and for which he has declined accepting any other equivalent than a piece of land of equal extent in the vicinity of this town.

An exchange
of land.

Great labour and cost will be prevented by having the whole of the public stores contiguous to the water. I shall, therefore, make immediate arrangements to commence buildings on a similar plan at this place ; and if, for want of time, it should be out of my power to complete them, I shall endeavour to impress upon my successor in command the advantages which will be derived from stores so situated. At present they are at such a distance from the wharf that a large number of men are almost constantly employ'd in removing provisions ; and when there are ships to discharge of their cargoes, every other necessary work is unavoidably suspended to prevent them coming on demurrage.

A store-
house
wanted at
Sydney.

This despatch will be delivered to your Lordship by Captain Symons, of the Royal Navy, whose knowledge of the colony and of Governor Bligh's violence and oppression particularly qualifies him to explain any points on which your Lordship may desire further information. The Governor, aware of this, has exerted himself to prevent Capt'n Symons's return to England, and has received much assistance from Messrs. Campbell & Co., part owners of the Rose, who are entirely under his influence, and are besides anxious on their own accounts to prevent any one from having a passage in that vessel to whom I could entrust my despatches with the least confidence of their being safely delivered.

Captain
Symons.

I have, &c.,

J. FOVEAUX.

[Enclosure.]

EXTRACT of a letter from the Secretary of State to Lieutenant-Colonel Foveaux, dated Downing-street, 24th June, 1803.

You will perceive that it is His Majesty's pleasure that Lieutenant-Colonel Paterson should proceed to the proposed colony, and that you should return to headquarters, where you will, in Colonel Paterson's absence, execute the duties of Lieutenant-Governor, as you will continue to enjoy the appointment you have hitherto received in Norfolk Island.

Foveaux's
rank.

HOBART.

1808

[Enclosure.]

LIEUTENANT-COLONEL FOVEAUX TO COLONEL PATERSON.

4 Sept.

Sir,

Sydney, 16th August, 1808.

I have the honor to report to you that I arrived here on the 28th of last month, and on the following day landed and assumed the command of the colony, having been directed by the Secretary of State (an extract* of whose letter I annex) to execute the duties of Lieutenant-Governor during your absence.

Foveaux on
the arrest of
Bligh.

Having found the late Governor (Captain Bligh) in a state of arrest, I endeavoured to inform myself of the causes which led to his being so, by enquiries from every description of persons whose information was most likely to enable me to form a judgment of the truth; and altho' these enquiries have discovered to me that a great difference of opinion has prevailed amongst the officers, as well as amongst the other principal inhabitants, on many points since that event took place, yet the whole were and still continue unanimous in their sentiments of the absolute necessity of suspending Captain Bligh from the Government as the only means of preventing an insurrection.

Bligh's
advisers.

It appears that Captain Bligh has been principally advised by George Crossley, Messrs. Campbell, Palmer, and Fulton; and it is generally believed that they intended to have established a monopoly of the public stores and revenue of the colony at the expense of the interests of Government as well as of every individual unconnected with themselves. In the prosecution of their plans they have gone such lengths, by violating private property and infringing personal liberty, as to occasion universal terror amongst all classes of people from the highest to the most obscure; and this apprehension still prevails to such a degree, that I saw no choice left but to maintain the Government in the way I found it, until I shall either be relieved by your arrival or shall receive the orders of His Majesty's Ministers.

Foveaux's
corres-
pondence
with Bligh.

The accompanying correspondence,† which has taken place between Captain Bligh and myself, will inform you how extremely desirous he is of being reinstated in the Government, although nothing can be more certain that his own destruction, as well as that of any person who might attempt to restore him, would be the inevitable result of such a step.

H.M.S.
Porpoise.

I lament that there is no vessel here at present except the *Estramina* by which I can forward this dispatch, the *Porpoise* being under repair for the damages she received when she struck the ground at Port Dalrymple, and, from all the information I can collect, she will require near two months to fit her for sea. And even when ready, I cannot depend upon her being at my disposal, as Captain Kent professes himself to be entirely under the control of Captain Bligh, whom he expresses a wish to receive on board, and whose orders alone, as his commanding officer, he seems determined to obey.

* The extract is printed on the preceding page.

† *Ante*, pp. 712-721.

You will observe that Captain Bligh has declared his intention of proceeding to England in the Porpoise, and has issued his orders for the necessary arrangements for that purpose to Captain Kent, which orders he has hitherto thought proper to obey. But as Captain Bligh is in a state of arrest, there appears to me to be great inconsistency in suffering him to exercise any authority whatever; yet I find myself unable to devise a safe method of preventing it, from the apprehension of improperly interfering with the regulations of the naval service.

1808

4 Sept.

Bligh and
the Navy.

From all these circumstances, it must be evident how anxious I feel to be released from the embarrassments which press upon me, either by your arrival or by receiving the instructions of His Majesty's Ministers for my future guidance, most particularly with respect to the disposal of Captain Bligh, should he not really mean to carry into effect the intention he has expressed of going to England in the Porpoise.

Foveaux
anxious to
be relieved.

It is incumbent on me to assure you that I have already perfectly satisfied myself that Captain Bligh has been acting on a settled plan to destroy and ruin the better class of inhabitants, and that Major Johnston is in possession of incontrovertable proofs of his being guided in the most important concerns of the colony by the advice of Crossley, your knowledge of whom will enable you to judge in what a dreadful state the whole settlement must have been involved previous to the change which Major Johnson was called upon to effect.

He is
satisfied as
to Bligh's
culpability.

Should your health, or any other circumstance, prevent your taking a passage in the Estramina, I feel it my duty to impress upon you that the interests of this colony require that some settled plan should be immediately adopted for its government, and that a determination should be formed (whatever established regulations it may interfere with) to hasten the departure of Captain Bligh, as, from the intriguing disposition of him and his partizans, the public mind will continue unsettled and perturbed as long as he is suffered to remain in the colony.

Bligh must
be removed.

I enclose you an extract of Lord Castlereagh's letter of the 31st of December last,* relative to the affairs of the settlements at Port Dalrymple and the Derwent, by which you will learn the views of Government respecting the latter, and their expectation that the most economical system shall be pursued by Lieut.-Governor Collins, and that he shall have the sanction of the officer in command here for every material arrangement he may find it necessary to make for carrying on the public service.

Expenses
of subordi-
nate settle-
ments.

Should you not take your passage in the Estramina, I have to request you will be pleased to order her to return here immediately, as it will be necessary to despatch her as soon as possible to Norfolk Island.

I have, &c.,

J. FOVEAUX.

* Ante, p. 401.

1806

3 Sept.

DR. TOWNSON TO VISCOUNT CASTLEREAGH.

My Lord,

Sydney, 5th September, 1806.

TOWNSON'S
LETTERS.

So extremely remote is this settlement from His Majesty's Government, that we are almost without the reach of its protection—at least, those few gentlemen whom his Ministers have deemed fit to send here as settlers may be ruined by vexatious delays before their orders from England can save them. My Lord, I have been nearly ruined by delays. It is now nearly two years and a half since I settled my affairs in England to come to the colony, and received Sir Geo. Shee's letter of assurance; and I have been fourteen months in this country, but I have not even yet obtained my grant of land, and only lately got some cattle: but, as long as I recollect the kind manner in which Mr. Windham received me, and his readiness to comply with my requests, and the confidence he placed in me by allowing me to purchase a laboratory and books of science, and whilst I have a copy before me of your Lordship's liberal letter to Gov'r King (dated 13th July, 1805),* in favour of Mr. Gregory Blaxland, I can never attribute these ruinous delays to His Majesty's Ministers, or doubt of their wishes for my success. The blame lies here.

Bligh refuses
to grant him
land.

I informed your Lordship,† by the first ship which sail'd after my arrival, that Gov'r Bligh refused to grant me the 2,000 acres promised me by Sir Geo. Shee's letter, and would allow me only 4 convicts, and suffer me to purchase only eight cows, &c., from the Government herds, then about 4,000 in number, though Gov'r King has allowed Mr. Gregory Blaxland, whose capital was nearly the same as mine, to purchase 78; and so many difficulties were thrown in the way that I never got anything during his government, neither land nor cattle, only one convict servant.

TOWNSON'S
OBSERVATIONS
ON BLIGH.McArthur
and
Johnstone.

It is not easy to account for Governor Bligh's conduct. If he dreaded the power of the military, ought he not to have encouraged the few respectable settlers, and cultivated their goodwill? His bad heart, his malicious disposition, can alone account for his opposite conduct. But, my Lord, it is easy to account for the conduct of those who succeeded to his power. Captain McArthur, Major Johnstone, and their friends, have long had nearly the whole of the stock, wealth, and influence of the colony in their hands, and every person of respectability, by his talents, education, or fortune, sent here by His Majest. Ministers, is considered as a rival, whom it is the common interest to oppose; and as settlers at first have to receive everything from Government, their land, stock, labourers, stores, &c., these may be refused or delay'd, given with a liberal or sparing hand, and under such circumstances as not to be worth accepting. A new settler may meet with opposition at every step: and so great a discretionary

* This letter is not available: but the terms on which Blaxland came out are given in vol. vi. p. 178. — See Townsend's letter of 10th October, 1807, ante, p. 290.

power is vested in the Governor that he cannot prosper without his consent. I will not take up your Lordship's time in reading long letter. Mr. John Blaxland goes to England in the same ship,* and has much to communicate to your Lordship on his own affairs, which will equally apply to mine, and elucidate the politics of the men in power here (Lt.-Col. Foveaux is but lately arrived, and intends to do nothing till he hears from Colonel Patterson).

1808
5 Sept.
Blaxland
returning to
England.

* * * * *

I have, &c.,

ROBERT TOWNSON, LL.D., F.R.S.E.

[Enclosure.]

LIEUTENANT-COLONEL JOHNSTONE'S REFUSAL TO GRANT CERTAIN LAND TO DR. TOWNSON.

The following circumstances I think ought to be communicated to the Secret. of State for the Colonies, as it shows what little attention is paid to his instructions in favour of respectable settlers if they clash with the interests of men in power here.

Not having obtained my land when Gov'r Bligh was put under arrest, I immediately after applied to Major Johnstone, as L't-Gov'r for a tract of land near Emu Island. It was promised me, but when I requested Mr. Grimes, the Surveyor, to get it measured off, he brought me a message from the Major saying that in his situation of only L't-Gov'r he should not feel comfortable if he gave it to me; but Mr. Grimes assured me it should not be given away to anybody else if he could prevent it. After Mr. Grimes was sent to England I was informed that the Major had sent the Deputy-Surveyor to measure it off for himself. I could not believe this till I heard it from Captain McArthur on the parade, and afterwards saw a letter from Capt'n McArthur, as Major Johnstone's secretary, to Mr. Blaxland, which says: "Major Johnstone has determined to grant it to his eldest son." Now, my Lord, this son was not at this time in the colony; he is only a lad of about 17 years of age. For the truth of my applying for this land, and the refusal, I refer your Lordship to Mr. Grimes, who was sent Home with dispatches; for the truth of the Major's having kept this land for his son, I refer to the letter of Capt'n McArthur, which is one of the papers which Mr. Jno. Blaxland means to lay before your Lordship on his own affairs. I think and hope Major Johnstone's conduct will receive your Lordship's censure.

Townson
applies to
Johnston
for land
grant.

Johnston's
grant to his
son.

LIEUTENANT-COLONEL FOVEAUX TO VISCOUNT CASTLEREAGH.

My Lord, Sydney, Port Jackson, 6th September, 1808.

6 Sept.

In answer to your Lordship's dispatch of the 31st December, 1807,† addressed to Governor Bligh, I am concerned to state that it is my fixed opinion that no precautions can be taken which will effectually secure the crops on the farms of the Hawkesbury from the consequences of the periodical floods which

Floods in
Hawkesbury
inevitable.

* The Rose.

† Ante, p. 399.

| | |
|---------------------|--|
| 1808 | overflow its banks ; and whilst our principal agricultural exertions are confin'd to that part, it is much to be fear'd that the distress experienced by the colonists in the year 1806 will frequently recur. |
| 6 Sept. | |
| Settlers farms. | By referring to the chart of the country your Lordship may discover that the principle part of the settlers are established on small allotments of land, the whole of which are subject to be overflown, and that they consequently have no means of housing their grain in any situation of security. |
| The wild cattle. | On inquiring into the state of the wild cattle, I have not been able to learn that any arrangements which have hitherto been made for taming them, or turning them, when slaughtered, to advantage, have been successful ; and the genuine opinion entertained here is that they never can be productive of any essential benefit, but on the contrary afford a temptation to desperate and depraved convicts to establish themselves in the mountains without the reach of controul, when the wild herds will supply a neverfailing source of subsistence. |
| The Cow Pastures. | On this account I am of opinion that it is desirable that the lands to the westward of the Nepean should be settled as soon as possible by people of character, whose establishment may tend to prevent a banditti from resorting to the mountains, and who, from their vicinity to the cattle, may perhaps devise some plan by which they may be made useful. |
| Spirits landed. | The accompanying return of spirits which have been permitted to be landed in this settlement by Major Johnstone and myself is the best proof that I can submit to your Lordship of the attention which has been paid to enforce the established restrictions on their importation. |
| Licensed publicans. | The whole of the spirits which I have allowed to be landed have been distributed among the licensed publicans (who amount to 112, and pay a considerable annual tax for their licenses) at such prices as they could agree upon with the importers ; and the quantity so distributed did not exceed ten gallons to each person. |
| Private stills. | It is proper, however, your Lordship should be apprized that, in defiance of every precaution, there are numberless private stills in the country, and that very large quantities of spirits are unquestionably clandestinely imported, by which means a class of persons, many of whom ought never to have been raised beyond the condition of labourers, have amass'd large properties in the country : and truth impels me to declare that I know of no consequence which has arisen from the existing restrictions except that of making the gentleman and the man of character, who would blush at being detected in an illicit transaction, the tributaries of the daring and unprincipled smuggler and distiller. |
| The Orphan School. | I shall endeavour to maintain the Orphan School upon the plan introduced by Governor King, altho', from the want of a proper person to intrust with the direction of the children, unavoidable abuses and irregularities will arise. |

I found the church at the Hawkesbury completed, and that at Sydney so much so that public worship is now performed in it. 1808
6 Sept.

It would be highly satisfactory could I give your Lordship any cause to hope that the morals of the female part of the convicts were likely to be reform'd; but I am concern'd to represent that the general loose and dissolute characters of the settlers and their servants—amongst whom the women are principally distributed—are more likely to confirm them in the practice of vice than to contribute to their amendment. Female convicts.

I shall endeavour to prevail upon the most industrious cultivators Hemp. to sow what hemp seed they can procure The quantity, however, will be very inconsiderable, as the whole of the seed sent from England when Governor Bligh came out proved to be entirely spoil'd, and most of the small stock of good seed which Government possess'd was distributed by the Governor amongst people whose lands were not calculated for its growth, or who have paid no attention to its culture.

Major Johnston's despatches by the Dart and Brothers will have acquainted your Lordship that the evacuation of Norfolk Island has been too far carried into execution to admit of any arrangement for its re-establishment untill His Majesty's pleasure be known. Norfolk Island.

* * * * *

The distress'd state of the colony for medical aid, and the expression of your Lordship's wish to provide such as could be obtain'd in this country, has induced me to appoint Mr. Wm. Redfern to act as an assistant surgeon. As his skill and ability in his profession are unquestionable, and his conduct has been such as to deserve particular approbation, I beg to solicit for his confirmation. Surgeon Redfern.

I found all the gentlemen to whom grants of land had been recommended by your Lordship already in possession of them, except Mr. John Blaxland, who has express'd himself dissatisfied with the arrangements made on his behalf by Major Johnston; but, as he returns to England in the Rose, I conceive any explanation or interference on my part unnecessary.

I have, &c.,

J. FOVEAUX.

[Enclosure.]

A RETURN of Spirituous Liquors imported by permission of Lieutenant-Governor Foveaux, from the 1st of August, 1808, to 6th of September following. Distribution of spirits.

| From what vessel imported. | Number of Gallons. | How distributed. |
|----------------------------|--------------------|-----------------------------------|
| Sinclair | 919 | } Issued to 111 licensed persons. |
| Recovery | 232 | |
| Total | 1,151 | |

THOS. JAMISON, Naval Officer.

1808
4 Sept.

A RETURN of Spirituous Liquors imported by permission of Major Johnson, from the 27th of January, 1808, to the 31st of July following.

| From what vessel imported. | Number of Gallons. | How distributed. |
|----------------------------|--------------------|--|
| Harrington..... | 330½ | Capt'n Campbell & Mr. Davidson.
Government.
Government.
Officers, Civil & Military, & others. |
| Eagle | 530 | |
| Rose | 530 | |
| | (1,700½ | |
| Total | 3,083 | |

THOS. JANISON,
Naval Officer.

LIEUTENANT-COLONEL FOVEACK TO VISCOUNT CASTLEREAGH.

My Lord, Sydney, Port Jackson, 6th September, 1808.

The house
of Campbell
& Co.

In reference to that part of my letter (A)* relative to the opposition attempted to be given by Messrs. Campbell & Co. to my dispatches being conveyed to England by Capt'n Symonds, I beg leave to enclose for your Lordship's perusal copies of the correspondence which took place with the supercargo of the Rose on that occasion.

The East
India Com-
pany's
rights.

From these your Lordship will perceive that the Rose has navigated to the eastward of the Cape of Good Hope without producing a license from the East India Company or a clearance from the Custom-house of London, a circumstance which excited my particular attention from its having been intimated to me in England that she had taken from thence upwards of eight thousand gallons of spirits.

A bond of
£4,000.

As I have the strongest reason to believe that the house of Messrs. Campbell has made arrangements for a very extensive importation of spirits into this colony, I have deem'd it incumbent upon me to oblige them to enter into a bond of four thousand pounds that they will account to the satisfaction of your Lordship for any irregularity they may have committed, a reference which, I hope, will confine the speculations of that house in future within limits prescribed by law and the orders of His Majesty's Government.

I have, &c.,

J. FOVEACK.

[Enclosure No. 1.]

JAMES FINUCANE TO RICHARD BROOKES.

Sir, Sydney, Headquarters, 31st August, 1808.

A passage
for Symonds

Captain Symonds, of the Royal Navy, having requested the necessary steps may be taken to secure him a passage in the Rose, agreeably to the provision made on that head by Act of Parliament; and it being also of the utmost importance to His Majesty's service that the public despatches to the Secretary of

* See the concluding clause of his letter of 4th September, ante, p. 735.

State should be taken Home by an officer,—I am directed by Lieutenant-Governor Foveaux to require that you do give orders to the commander of the ship Rose to receive Captain Symmonds on board her, for which the usual allowance will be paid by Government on your arrival in England.

1808
6 Sept.

I am, &c.,

JAMES FINUCANE,
Secretary.

[Enclosure No. 2.]

REPLY TO ABOVE.

Sir,

Sydney, 1st September, 1808.

I receiv'd your letter of the 30th August. In answer thereto I have to observe that it's not in my power to take Mr. Symmonds, of the Royal Navy, on board the Rose. Symons cannot go in the Rose.

Any public despatches the Lieut.-Governor shou'd think proper to send by me I shall feel a pleasure in delivering.

I am, &c.,

RICH'D BROOKES.

[Enclosure No. 3.]

JAMES FINUCANE TO RICHARD BROOKES.

Sir,

Sydney, 1st September, 1808.

The circumstance of your having demanded a bond of £500 from Mr. John Blaxland that he would take Home no letters in the Rose, and the close and intimate relation which is known to exist between Captain Bligh and Messrs. Campbell & Co., part cwners of that ship, together with the great solicitude which the former has shown to prevent every respectable person leaving the colony who can give evidence of the real state of its affairs, induces Lieutenant-Governor Foveaux to entertain an opinion that his dispatches can only be safe in the charge of an officer. Foveaux's despatches to be sent Home by an officer.

I am, therefore, directed to acquaint you that he will not sacrifice the good of the service and the public future welfare of this colony to a mere punctilio, nor will he patiently submit to a vexatious opposition to a request which he is satisfied never could have been refused but for sinister reasons.

You will, therefore, determine either to receive Capt'n Symmonds on board or to prepare yourself not to expect any future forbearance with respect to the ship Rose.

I am, &c.,

JAMES FINUCANE.

[Enclosure No. 4.]

JAMES FINUCANE TO RICHARD BROOKES.

Sir,

Headquarters, Sydney, 1st September, 1808.

As Lieut.-Governor Foveaux has discovered from your correspondence that the Rose left England without a licence from the Hon'ble East India Company to navigate to the eastward of The East India Co.'s trading rights.

1808
4 Sept.

the Cape of Good Hope, and without entering into the bond prescribed by Act of Parliament for securing the Company's privileges from being invaded, I am directed to enquire whether that licence has been forwarded to you by the last arrivals from England.

I am, &c., JAMES FINUCANE,
Secretary.

[Enclosure No. 5.]

RICHARD BROOKES TO JAMES FINUCANE.

Sir, Ship Rose, Sydney Cove, 2nd September, 1808.

I am at a loss to comprehend the meaning of the following paragraph in your letter of yesterday's date:—"You will therefore determine either to receive Capt'n Symmonds on board, or to prepare yourself not to expect any further forbearance with respect to the ship Rose."

I request being informed if His Honor Lieut.-Governor Foveaux intends to prevent the ship Rose, now ready for sea, from proceeding to England with the cargo of oil and skins permitted to be shipped on board of her the 26th July last, agreeable to Lieut.-Governor Johnston's permission, countersigned by the Naval Officer.

I am, &c.,
R'D BROOKES.

[Enclosure No. 6.]

RICHARD BROOKES TO JAMES FINUCANE.

Sir, Ship Rose, Sydney Cove, 2nd September, 1808.

In answer to your letter of yesterday's date, I am to inform you that the Hon'ble East India Company's licence for the ship Rose was to be forwarded to St. Helena, where she is to touch for convoy on her present voyage.

I think it a duty incumbent on me to state, for the information of His Honor Lieut.-Governor Foveaux, that no cargo would have been received on board that ship, nor any clearance granted from the Custom-house at the port of London, unless the bonds which you allude to had been duly executed.

I am, &c.,
RICH'D BROOKES.

[Enclosure No. 7.]

JAMES FINUCANE TO RICHARD BROOKES.

Sir, Headquarters, Sydney, 2nd September, 1808.

I am directed by Lieut.-Governor Foveaux to acquaint you, in answer to your two letters of this day, that from the circumstance of the Rose having come into those seas on a trading voyage, and having imported into the colony a large quantity of spirituous liquors, without producing any clearance from the Port of London, or any licence from the East India Company, he considers it his duty not to suffer so mysterious a transaction to pass without investigation.

Will
Foveaux
detain the
Rose by
force

The licence
at St.
Helena.

Foveaux's
suspicious.

Desirous to effect this by the most moderate means in his power, he had determined to commission Capt'n Symmonds to explain the affair to Government ; but as you have thought proper to refuse that officer a passage in the Rose (altho' expressly required for the furtherance of His Majesty's service), I am directed by the Lieut.-Governor to acquaint you that he feels himself compelled to determine on seizing the Rose as an illicit trader, and to detain her in this port until he shall receive instructions from England.

1808

6 Sept.

The Rose to
be seized.

I am, &c.,

JAMES FINUCANE,

Secretary.

[Enclosure No. 8.]

RICHARD BROOKES TO JAMES FINUCANE.

Sir,

Sydney, 3rd September, 1808.

Referring to your letter of yesterday, and the ship Rose having been since taken possession of by Thomas Jamison, Esq., Naval Officer, with a party of soldiers, I beg leave to state, for the consideration of His Honor Lieut.-Governor Foveaux, that when I requested in my letter of yesterday to be informed if he intended to prevent the Rose from sailing, it was done with no other view than to enable me to determine whether I should put myself to much inconvenience by taking Mr. Symmonds, or subject the ship to detention ; and being conscious of my own rectitude of conduct, and that the owners of that ship have been duly licensed by the Hon'ble Court of Directors of the East India Company to navigate in those seas, and that the quantity of spirits was lawfully shipped and regularly suffered to be landed at this port and the Derwent, I am ready to give such security as His Honor may require for my abiding by the decision of His Majesty's Ministers, and will receive Capt'n Symmonds on board agreeable to your letter of the 31st ulto. in order that the ship may be permitted to proceed on her voyage to England.

An explana-
tion.

I am, &c.,

Accommo-
dation will
be found for
Symons.

RICH'D BROOKES.

[Enclosure No. 9.]

JAMES FINUCANE TO RICHARD BROOKES.

Sir,

Headquarters, 3rd September, 1808.

I am directed by Lieut.-Governor Foveaux to acquaint you that he has received with much satisfaction the notification of your intention to take Capt'n Symmonds on board the Rose, it being infinitely more pleasing to him that the circumstance of the Rose navigating in those seas without producing a clearance from the Custom-house of London, or a license from the East India Company, should be decided on in England than that the ship and cargo should be detained here. You will therefore receive no further interruption to proceeding on your voyage.

The Rose to
be permitted
to sail.

I am further ordered to apprise you that the serjeant of the guard on board the Rose has reported some highly disrespectful

1808

6 Sept.

Brookes to
be more
careful in
his lan-
guage.

expressions which you uttered yesterday against the present Government of the colony; and I am directed to recommend to you more caution in future, as a repetition of such language would most probably be productive of unpleasant consequences.

I am, &c., JAMES FINUCANE,
Secretary.

[Enclosure No. 10.]

LICENSE TO THE ROSE BY THE EAST INDIA COMPANY.

Sir,

East India House, 13th August, 1807.

The license
of the East
India Com-
pany.

The Court of Directors of the East India Company have considered your request that a license may be granted the ship Rose to proceed on a voyage from London to Monte Video and New South Wales with Colonial stores, consisting of foreign wines, porter, woollen cloth, cottons, linens, ironmongery, hats, shoes, &c., on a bond being entered into for the said stores being landed in New South Wales; and further, that leave may be granted for the said ship to bring a cargo of oil, seal-skins, and wool, the produce of New South Wales, from thence to London; and I have to acquaint you that the Court have permitted you to ship the stores above-mentioned on the terms stated in your memorial, and they have also resolved that you be granted a license for the Rose to bring back a cargo of oil, seal-skins, and wool, the produce of New South Wales, but not to lade back with any articles the growth or produce of any other place within the Company's limits.

I am, &c.,

W. RAMSAY,
Secretary.

[Enclosure No. 11.]

BOND ENTERED INTO BY RICHARD BROOKES.

A bond of
£4,000.

Know all men by these presents that I, Richard Brookes, super-cargo of the ship Rose, of London (now in Sydney Cove in the territory of New South Wales) am held and firmly bound unto the Right Hon. Robert Stewart, commonly called Viscount Castlereagh, one of His Majesty's Principal Secretary's of State for the Colonies and War Department, or to the Secretary of State for the Colonies and War Department for the time-being, in the penal sum of four thousand pounds of lawful British money, to be paid by the said R'd Brookes or his certain attorney, his heirs, executors, administrators, or assigns, for which payment well and truly to be made I bind myself, my heirs, executors, administrators, and assigns firmly by these presents.

The Rose
without a
port clear-
ance.

Now whereas the said ship Rose, of London, has imported into this colony a cargo consisting of spirituous liquors, wines, and other merchandize without having any port clearance on board from the officers of His Majesty's customs in London, and the said ship Rose has been navigated into those seas being within the limits of the East India Company without any license or other authority to shew for so doing except the annexed letter from the East India Company's Secretary, in which it is to be observed no spirituous liquors are mentioned.

The condition of this obligation is such that if the within bounden Richard Brookes shall, within one month after his arrival in England, explain in a satisfactory manner the above-recited circumstance to the Right Honorable Robert Stewart, commonly called Viscount Castlereagh, one of His Majesty's Principal Secretary's of State for the Colonies, or to the Principal Secretary of State for the Colonies for the time-being, then this obligation shall be void and of none effect, or else shall be and remain in full force and virtue.

Sealed with my seal, dated this twelfth day of September, in the year of our Lord one thousand eight hundred and eight.

RICH'D BROOKES.

1808

6 Sept.

Brookes to report to Secretary of State.

LIEUTENANT-COLONEL FOVEAUX TO LIEUTENANT-GOVERNOR COLLINS.

Sir, Sydney, Port Jackson, 8th September, 1808.

8 Sept.

I have the honor to inform you that I arrived here on the 29th of July, and assumed the command of the colony in obedience to orders from the Secretary of State to act as Lieutenant-Governor during the absence of Lieut.-Governor Paterson.

Foveaux reports to Collins.

The inclosed extract from Lord Castlereagh's dispatch, dated 31st December, 1807,* will acquaint you that it is the intention of His Majesty's Government that you shou'd obtain the sanction of the Governor, or officer in command here, for any expences you may incur for the settlement at the Derwent, and I hope the supplies of provisions sent you by Major Johnston will prevent the necessity of any immediate reference on that head.

Having heard by accident that you had entered into an extensive contract with the house of Messrs. Campbell and Hook for the purpose of obtaining several hundred head of Bengal cattle, of which no intimation whatever had been given to this Government, and having ascertained by an application to Messrs. Campbell, &c., that such a contract had absolutely been made, I considered it my duty to write to them before it was possible for them to send any communication to India on the subject; but whether the expression of my sentiments of the impolicy and disadvantage of the contract to Government will deter them from executing it, I am unacquainted.

Contract by Collins for importation of cattle.

You must be sensible that any number of horned cattle from India will on their first arrival require the assistance of a great many men, and as, from your own representation, you have not any to spare (and there is no prospect of your receiving a reinforcement from hence until more convicts shall be sent from England) the importation of such a cargo of cattle at the Derwent must very much increase the difficulties of which you complain.

Objections to Collins's action.

And it is almost an absolute certainty that without proper assistance the greater part of the cattle would fall victims to the severity of a climate to which they are unaccustomed.

* See the paragraph referred to on p. 402, ante.

1808

8 Sept

Cattle
obtainable
at Sydney.

Should it hereafter be considered advisable by you to encrease the number of cattle on Van Dieman's Land by the importation of more breeding stock, ample supplies can be obtained from hence on your applying for them, without any additional expence to Government, hardy in constitution, seasoned to the climate, and infinitely better in quality than any that can be procured from the East Indies.

I have, &c.,

J. FOVEAUX.

GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.

Government House, Sydney,

10 Sept.

My Lord, New South Wales, 10th September, 1808.

Symons
going Home
without
Bligh's
leave.

Since my despatch of the 31st ultimo I have been much surprised to find that the present Lieutenant-Governor has obliged Captain Brooks of the *Rose** to take Home Acting Lieutenant James Symons, belonging to the *Lady Nelson*, tender to the *Porpoise*, in defiance of all propriety and decorum, Lieutenant Symons having no authority from me to proceed, as he is deeply implicated in mutiny and other offences.

Blaxland
also going
Home.

Mr. John Blaxland also, who assisted in dispossessing me of my Government, is also allowed to leave the colony, notwithstanding my remonstrance; and conceiving them both highly culpable, I enclose the correspondence I have had on that subject, requesting your Lordship will be pleased to judge whether they should be detained or not on their arrival in England.

I have, &c.,

W^M BLIGH.

[Enclosure No. 30].†

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.‡

Sir, Government House, Sydney, 1st September, 1808.

Bligh
demands the
detention of
Symons and
Blaxland.

Being informed that Acting Lieutenant James Symons is about to leave the colony for England, I have to inform you he is an officer in His Majesty's naval service under my command, and concerned with the persons who dispossessed me of my Government. I therefore call upon you, in the name of my King and country, to prevent the said Act'g-Lieutenant James Symons quitting this territory until His Majesty's pleasure be known.

And whereas Mr. John Blaxland, who assisted in dispossessing me of my Government, is, as I am informed, about to depart this territory, I have likewise to call upon you to direct that he may be kept in the colony until His Majesty's pleasure be known.

I am, &c.,

W^M BLIGH.

* The *Rose* sailed on 15th September, 1808, having on board both Lieutenant Symons and Mr. John Blaxland.

† The enclosures, so far as their distinguishing numbers are concerned, run on from page 721, ante.

‡ The previous letters which passed between Bligh and Foveaux will be found on pp. 712 to 721, ante. The continuation of the correspondence was sent Home by Bligh in his letter of 28th October, 1808. It will be found on pp. 791 to 795, post.

[Enclosure No. 31.]

1808

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

10 Sept.

Sir, Headquarters, 1st September, 1808.

Conceiving the return of Capt. James Symons to England with my dispatches to be most essential to the good of the service, you may be assured that I shall persevere in my determination to send him Home in the Rose.

Foveaux
refuses to
detain
Symons or
Blaxland.

Respecting Mr. John Blaxland, I beg to acquaint you that as I know of no offence he has committed which can authorize his detention either in this colony or elsewhere, I must decline imposing any restraint upon him.

I have, &c.,

J. FOVEAUX.

[Enclosure No. 32.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, 1st September, 1808.

As you have been apprized by me of my intention of sending Capt. Symonds to England as the bearer of my dispatches to His Majesty's Government, I have to request information from you whether the order transmitted to that officer by Capt. Kent to pair on board the Lady Nelson was given with your sanction.

Kent's
orders to
Symons.

I have, &c.,

J. FOVEAUX.

[Enclosure No. 33.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

Sir, Government House, Sydney, 1st September, 1808.

The laws and regulations of His Majesty's naval service are peculiar as their consequence is great. They will admit of no officer on shore, of what rank soever he may be out of the naval service, to interfere with it. If, therefore, you, sir, take the naval department under your consideration and controul, I, as a prisoner, cannot prevent it. Whatever Captain Kent has done, I suppose is from a General Order, in answer to his letter of the 14th ulto., which I wrote yesterday, saying that the officers of the porpoise must be according to the establishment, which no naval officer can change but by orders from the Admiralty. To this, too, I have to inform you that Captain Kent, as commander of the porpoise, has all the interior management of the ship, agreeable to particular order from my Lords Commissioners of the Admiralty.

Bligh
refuses to
acknowledge
Foveaux's
authority
in naval
matters.

I am, &c.,

W^M BLIGH.

LIEUTENANT-COLONEL FOVEAUX TO ———*

Dear Sir, Sydney, Port Jackson, 10th September, 1808.

I arrived here on the 28th of July, and was naturally much astonished and concern'd at the situation in which I found the colony plunged by the extraordinary conduct of Captain Bligh.

This letter bears no address. It was probably sent to Under-Secretary Chapman, with whom Foveaux was on terms of intimacy—post, p. 805 (note).

1808
12 Sept.

Before I landed, I made every possible inquiry into the circumstances attending the change that had been made in the Government, and the result produced a profound conviction in my mind that nothing but that change could have saved the colony from a general insurrection with all its inevitable horrors; and that any attempt to replace the Government in the hands from whence it had been removed, would have been attended with circumstances no less dreadful and certain.

The charges
against
Bligh.

Since I have had the command I have omitted no opportunity of ascertaining the truth of the heaviest of the numerous charges prefer'd against the Governor (for to investigate the whole would be the work of years, and I do not hesitate to declare that he has appear'd to me, thro'out his whole administration, to have acted upon a settled system of enriching himself, and a few of his necessary agents, at the expence of the interests of His Majesty's Government, and of the people entrusted to his command; and that in the prosecution of his plans he has been guilty of the most oppressive and often wanton attacks on private property and personal liberty, as well as the most flagrant waste and shameful misapplication of the public stores and revenues of the colony.

George
Crossley.

The chief of his council was the noted George Crossley, a convict of the most abandon'd character, whom, as well as others of the same class, he publicly and avowedly consulted in the most important concerns of his Government.

Bligh's
letters.

Whatever representations Captain Bligh may have sent Home respecting his removal from power will, I am convinced, be found as little intitled to credit as almost all the information which he officially transmitted to Ministers on the situation and interests of the colony at large, or on the conduct and characters of many of the individuals on whom he had occasion to report.

Foreman's
opinion.

Should an investigation be order'd to take place in this country, which I think desirable, as the only measure that can ascertain the truth beyond the possibility of doubt, I will forfeit my existence if the verdict of an impartial tribunal will not completely justify the measures which Major Johnston was call'd upon to adopt.

Bligh still
at Sydney.

Captain Bligh has notified to me that he meant to proceed to England in the Porpoise, but I have every reason to be certain he entertains no such intention. As no change whatever was made in his domestic concerns in consequence of his suspension, he remains in possession of Government House, with all the advantages attach'd to it; and while he is suffer'd to live luxuriously at a heavy expence to the public, he will be in no hurry to relinquish his enjoyments; besides, I am convinced he has not nerve enough to face the enquiries which on his arrival in England will doubtless take place into his conduct.

He has endeavoured to throw every possible obstacle in the way of the public business ; but I have given him to understand that in the execution of my duty I am neither to be impeded nor intimidated.

1808

10 Sept.

I have been so short a time in this country, and have been so occupied in making a thousand arrangements which could not be postpon'd, that I have not as yet received the reports necessary to furnish me with information accurate enough to enter into a detail'd account to the Secretary of State of the situation of the colony. My own observations however enable me to assure you, that the public buildings are in a state of deplorable decay and delapidation—so much so, that I am decidedly of opinion that most of them must be rebuilt. Nothing seems to have been attended to but the improvements at Government House, the surrounding grounds, and at Captain Bligh's private farms, where nearly all the best of the public servants have been employ'd at an enormous charge to the Crown, and to the total neglect of the most essential works of the colony.

Public buildings in decay.

He has likewise occupied many of the public labourers for a considerable time in erecting and ornamenting a residence for one of the several prostitutes whom (notwithstanding his constant professions of religion and morality) he was in the habit of maintaining.*

A charge against Bligh's morals.

The church at Sydney is the only public work which received a small, and but a very small, share of his attention ; and in this, considerable progress had been made previous to his arrival, and since his suspension it has been very nearly completed.

As Captain Bligh's public letter of the 31st of October last† will apprise you of his intention of depriving the holders of several leases and grants of their property, I feel myself obliged most strongly to urge to you the impolicy of such interference. The Governor made no scruple on many occasions in direct violation of every right, to dispossess people of their ground, destroy their improvements, and pull down their houses without any justifiable pretence, and apparently thro' a mere wanton desire of annoyance, as much of the ground on which houses stood that have been pull'd down, still remains unappropriated to any purpose whatever ; and it was a constant and familiar expression of his, when any of the injured persons complain'd, "It is all my own." The consequence was that no man looked upon his property as secure, altho' guaranteed to him by the strictest forms of the law, or the most solemn assurances of the Government, and the improvement of the colony, either in building or in agriculture, must have been totally obstructed had so ruinous a system been persever'd in. And while upon this subject, I think it due to the real interests of the colony to declare my opinion that grants should be made to those persons who have expended large sums of money in

Bligh's conduct in the matter of the leaseholds.

* Foveaux's charges against Bligh are greatly discounted by the fact that he was not speaking from his own knowledge. During the whole period of Bligh's administration, and for many months both before and after, Foveaux had been absent from the colony.

† Ante, p. 359.

1803

10 Sept.

the erection of houses, a few of which in the town of Sydney would not, I assure you, disgrace the most fashionable square in London, and have cost the proprietors several thousand pounds, altho' built upon leases of very limited extent, the renewal of which must totally depend upon the will of the future Governors.

Leaseholds
at Sydney.

Whilst this system continues, it cannot fail to operate against the improvement of the town; and altho' I cannot but disapprove of the character of many of the persons now holding the most eligible leases, yet I am of opinion that they ought to receive grants, as I am sure the uncertainty of their tenures will in future deter others from hazarding the expense of undertaking such substantial buildings.

Collins's ex-
travagance.

The caution contained in Lord Castlereagh's last letter (31st Dec'r, 1807), relative to Colonel Collins' conduct, particularly with regard to the expenses of the settlement he commands, I have taken care to forward to him, and I can assure you that never was a lecture on public economy more truly necessary on any occasion than on that of the establishment of Hobartstown.

Cattle for
Hobart
Town.

Colonel Collins, without any reference or notification to this Government, lately enter'd into a contract with the house of Messrs. Campbell & Co., of this place, to supply his settlement with five hundred Bengal cows and other cattle, which would probably cost Government near twenty thousand pounds, altho' he could be abundantly supplied with cattle from Port Dalrymple, and we have here an infinitely larger number than we can take care of, already season'd to the climate, and, therefore, able to withstand the inclemency of Van Dieman's Land, which is known from experience would prove fatal to many of the delicate breed of Bengal cows, upwards of two hundred which were on a former occasion landed from India at Port Dalrymple having died.

Labouring
convicts at
Hobart
Town.

If I am to judge of Colonel Collins's want of men, by his own representations he has already sufficient engagements without encumbering himself with large herds of cattle, which require many experienced hands to attend to them, for unless they, or indeed any kind of cattle, are well taken care of, the encrease of numbers beyond a certain point will rather diminish than augment the means of subsistence of the settlement.

Cancell-
tion of
Campbell's
contract.

As the vessel intended to transport them from India did not sail from hence untill the 20th of last month, I thought it my duty to do everything in my power to prevent so useless and extravagant a contract from being carried into effect, and a copy of my letter* to Messieurs Campbell & Co. upon that subject accompanies my public dispatch.

I must confess, however, that I am hopeless of its producing the desired effect, as, in addition to the advantages to be derived from the contract, there will be other contingent benefits to an amount not easily to be calculated, which will induce the parties concerned to run considerable risk rather than sacrifice the prospect.

* Not available.

You may form a pretty accurate conception from whence these advantages are to arise, when you are informed of the circumstances attending the speculations of the Rose to this colony.

1808

10 Sept.

Notwithstanding Governor Bligh's positive prohibition of the importation of spirits at any of the dependent settlements (unless the ship first touched here, and obtained his permission), and the ruin which appear'd inevitable to any adventurer who should presume to infringe his orders, the Rose, a private ship, avowedly owned by the house of Messrs. Campbell and Co., put into the Derwent on her voyage from England, and landed several thousand gallons of spirits, which have since been disposed of amongst the unfortunate settlers from Norfolk Island, who, having no other means of making the purchase, were indulged with permission to sell their little stock of salted pork to the Government, at the expense of one shilling and ninepence per pound.

The ship
Rose.

Thus were these unhappy people furnished with the means of indulging in dissipation and drunkenness for a few days, and deprived of the means of subsistence for years. I must now beg to repeat an opinion, which I have already often urged at your office, that the excessive restraints which have been imposed upon the importation of spirituous liquors have very powerfully contributed to heighten the desire of the colonists to possess them, and have absolutely encreased the evils which they were intended to diminish.

Intemper-
ance.

But I despair of lessening the force of the impressions which have been made on the minds of Government upon this subject, and I am sensible I shall find few inclined to admit the truth of facts, which in one week's observation of this colony would be clearly obvious to a mind of your discernment.

As only a limited quantity of spirits, infinitely short of the demand, is allow'd to be imported, its common circulating value fluctuates from two to three pounds sterling per gallon. Three-fourths of the whole quantity fall into the hands of persons in the employment of Government, or are obtained by the inhabitants of the town at an average price of about twelve shillings, and are again distributed by them at the advanced price amongst the settlers and labourers who live in the interior of the country. These people, sensible that a threefold proportion of the reward of their industry is extorted from them, eagerly engage in smuggling and distilling, and in nineteen cases out of twenty they do so with success. The numerous orders which have been given upon the subject, and the rewards offer'd to informers may occasion a belief that neither smuggling nor distilling are very common; but I can assure you that the reverse is the truth, nor is it possible to prevent it in a country so thinly inhabited, and in which the whole of the population consider themselves oppress'd and injured by the existing regulations.

The demand
for and
price of
spirits.Smuggling
and
distilling.

The persons who derived the greatest advantage from the trade in spirits, under the Government of Captain Bligh, were Mr.

1808

10 Sept.

Palmer,
Campbell,
and
Thompson.

Commissary Palmer and Mr. Campbell, both of whom have houses so situated that they can land any quantity without observation. It has also been found that an overseer of Captain Bligh's, by the name of Thompson, was permitted to land a considerable quantity of spirits, near 200 gallons, and this at a time when the officers were refused a gallon, and were known to be reduced to the necessity of drinking water only.

Crossley.

The notorious Crossley was also a favor'd object ; but he appears to have directed his attention principally to distilling, as two stills were found hidden in his garden a few days after the arrest of his friend the Governor.

A new
Governor
and Judge-
Advocate
wanted.

The strange events which have occur'd in this country, and the consequent embarrassments which have ensued, will, I trust, point out to you the absolute necessity of sending some person as Governor (should one not already have been appointed) possess'd of talents and integrity enough to remedy the evils entail'd on the colony by the system which has hitherto been acted upon in its government ; and next in importance to the Governor, I must mention the situation of Judge-Advocate, which should be immediately fill'd by a person of character and knowledge of the law, with such a salary as would induce a person of that description to accept it, and would place him above the necessity of stooping to unbecoming means of seeking a remuneration adequate to the trouble of the office, and enable him to live with a suitable degree of respectability in a country where even the most common necessities of life are not to be procured unless at a most enormous expense.

Instructions
to
Governors.

I cannot help suggesting to you the prudence of giving particular instructions to the Governors of all these settlements respecting the management and disposal of the stores and Government stock of cattle, and the distribution of the convict labourers of the Gov't, which, I fear, have hitherto been look'd upon as meant rather for the convenience and emolument of individuals than for the good of the public, or the service of the Crown. It is indeed my opinion that the public herds should be distributed amongst the settlers, as the expense of attending to them is infinitely greater than any benefit which Government can expect to derive from them.

Norfolk
Islanders at
the
Derwent.

Notwithstanding the unreasonable length of this letter, I must trespass a moment longer to mention to you the deplorable state of the unfortunate settlers from Norfolk Island, who have been forced to quit their establishments and proceed to the Derwent, without having been allow'd sufficient time to prepare for their removal, agreeable to what I know to have been your humane intention.

Cap'n Symons, of the Navy, whom I send to England in the *Rose* with my dispatches, will be able to give you every information upon this, or any other subject connected with the affairs of this colony.

I have, &c.,

J. FOVEAUX

GOVERNOR BLIGH TO UNDER SECRETARY COOKE.

1808

Government House, Sydney,

Dear Sir,

11th September, 1808.

11 Sept.

Lieutenant-Colonel Foveaux, on his arrival here, delivered me your letter of the 31st December,* and I have now an opportunity by the *Rose*, Rich'd Brooks, master, to send Home my dispatches. In this letter I only take up my pen to thank you for your good wishes towards me.

Cooke and Bligh.

With respect to Captain Short, I do not see how I am implicated in any unkindness, or want of attention. If my statements had been considered, as well as his, they would have proved his turbulent disposition, and that he would not allow me to be on any footing with him but constant disputation. This, however, I should have submitted to, on my own part ; but Governor King, and the Court of Inquiry, found that no person could live under Captain Short's command ; and the charges of his officers were such that the public service obliged me to send him Home, or I should have been highly censurable. I cannot doubt of Governor King having represented all this ; yet I am surprised that he has allowed of some representations which he and his officers might have refuted, and to this I attribute the extraordinary letter† written by the members of the Court-Martial in Captain Short's favour, but whose decision I by no means call in question.

The case of Captain Short.

As to Mr. Fitz and his family, I know of no disagreement in the passage out. On the contrary, they dined with me frequently every week, and we were particularly kind to them and their little boy, who we made a pet of ; and when we arrived they were asked to our house with great attention, the services which were immediately necessary were granted, and Mrs. Fitz was made as comfortable as the other ladies. The desire you was pleased to express in his favour should have been amply attended to. I only wanted a little time to look about me, and after the first grant of land which I gave him, I would have followed it up with others, without any cause of jealousy from other persons ; but I was sorry to find that he soon became under obligations to McArthur, and was accordingly obliged to submit to his wishes.

Mr. Fitz and his family.

My coming out to this country was from the purest motives, and have done justice to every individual in it, which all well-disposed persons acknowledge. Under a full confidence of having justice done to me I shall wait with resignation for relief.

Bligh confident of relief.

Believe me, &c.,

W'M BLIGH.

* An extract from this letter will be found on p. 398, ante. It is evident from Banks's letter to Bligh of the 25th August, 1808 (ante, p. 705), that Cooke was well disposed to Bligh ; and it was doubtless this friendliness which prompted Cooke to make the inquiries of ex-Governor King which resulted in his letter of 18th June, 1808—ante, p. 656.

† Ante, p. 388.

1808

GOVERNOR BLIGH TO MRS. BLIGH. (Bligh Papers)

Government House, Sydney,

New South Wales, 11th September, 1808.

11 Sept.

Bligh's
letters by
the Rose.

On the 1st of last May I wrote to you by a ship called The Brothers, since which no opportunity has happened until now, by Brookes, of the Rose, who I hope will prove himself deserving of the charge I intrust him with, and deliver everything safe to your hands, as well as to the Secretary of State and Sir Joseph Banks.

His broad
pendant
hailed
down by
Johnston's
order.

The Duke of Portland, Spence master, took Home the last quarterly bills, which were drawn up to the 22nd Oct'r, 1807, and I shall now send you them complete up to 30th June, which makes nine months. I rec'd the order dated 27th Feb'y, 1807, to hoist my broad pendant on the 30th Nov'r, but the Por. having sailed a few days before for Norfolk Island, I hoisted it on board the Estramina, Government Colonial schooner, and alternately on board the Lady Nelson, as they might happen to be in port during the absence of the Porpoise. It was flying on board the Estramina the day of the rebellion, 26th Jan'y; but it was hauled down the next day by order from Major Johnston, who had usurped the government. The Porpoise arrived on the 4th of Feb'y, and by her disaffection I could not have any connection with her, so that I could not issue a written order for hoisting it on board the Porpoise until the 30th July last—*vide* general information on the Colonial affairs. I am quite ignorant of the way to draw for my rank as Commodore, and request to be informed about it if my stay here renders it necessary. As I have been the senior officer, perhaps I may be paid higher than ten shillings a day; in fact, I have been Commander-in-Chief. I have entered Mr. Griffin as my secretary on a supernumerary list. The commander of the Porpoise is to keep the ship's books; and to be answerable for the expenditure of stores; therefore I conceive my amount of pay will pass through the Admiralty by order to the Navy Board. I enclose a copy of the Admiralty letters.

Bligh's pay.

Putland's
pay.

I send you likewise a certificate of our dear Putland's time as commander of the Porpoise, and of his leaving dear Mary a widow. I shall be happy if it will get her a pension.

His widow's
income.

Cook and Halford were Putland's agents, and to whom his commission was sent, and I have directed the present purser, Mr. Sloan, to make up what further accounts are necessary; but I doubt if it can be sent by Brooks. I hope, my dear Betsy, you will be able to receive dear Mary's income from Ireland, so that she may draw for it on you. She tells me she has written on this subject.

Bligh's rank
in the Navy.

I have written to the Navy Board, requesting they would consider my appointment and note it according to the order, which I now send a copy of. I wish you to get it put in Steel's List my being Commodore, as it has great effect with the low people here.

Putland's
debts.

Before poor Putland died, in order to pay his debts, he gave an order for 3 sets of bills to be made out in your favour. Two of

them have been sent Home, and the 3rd set remains here with Mr. R. Campbell, with whom we had an amount for the payment of the funeral expences. I hope there will be no difficulty in getting the amount. Our dear Mary will write to you on this head

I remain, &c.,

W^m BLIGH.

1808
11 Sept.

GOVERNMENT AND GENERAL ORDER.*

Headquarters, 11th September, 1808.

LIEUTENANT-GOVERNOR FOVEAUX has directed Ensign A. C. H. Villiers, of the New South Wales Corps, to hold himself in readiness to proceed to Newcastle to take the command at that settlement.

Ensign Villiers to command at Newcastle.

Ensign Villiers is appointed a magistrate for the county of Northumberland.

GOVERNMENT AND GENERAL ORDER.*

Headquarters, 13th September, 1808.

13 Sept.

LIEUTENANT-GOVERNOR FOVEAUX has been pleased to appoint Lieutenant E. Lord, of the Royal Marines, to be a magistrate in the county of Buckinghamshire, in the settlement under the command of Lieutenant-Governor Collins, at Van Dieman's Land.

Mr. D'Arcy Wentworth, Assistant Surgeon, is to do duty at Parramatta till further orders.

The medical staff.

Mr. J. Mileham, Assistant Surgeon, is to do duty at Hawkesbury, and is appointed a magistrate for the county of Cumberland.

Mr. W. Redfern is appointed to act as Assistant Surgeon in the colony, and is to do duty at Sydney.

LIEUTENANT-COLONEL FOVEAUX TO CAPTAIN KENT.

Sir, Headquarters, Sydney, 17th September, 1808.

17 Sept.

I inclose you a copy of a letter from Captain Bligh,† by which you will perceive he professes an intention not to proceed to England, and in which he refers me to you, as commander of His Majesty's ship Porpoise. I have to acquaint you that I have found myself under the necessity of forbidding Captain Bligh to hold any further intercourse with you, or any of the officers or persons under your command, this being the only alternative I have left to prevent the Porpoise and the Lady Nelson from being kept altogether useless to the colony, for whose service you, sir, must be aware they are entirely intended.

Bligh not to communicate with Navy officers.

After this communication, I presume it will only be needful to request you will immediately give orders for the Lady Nelson to proceed to the Coal River, to perform the service specified in my letter to you of the 1st instant.

I have, &c.,

J. FOVEAUX.

* Reprinted from the *Sydney Gazette* of 25th September, 1808.

† See letter of 16th September, post. p. 792.

1803

CAPTAIN KENT TO LIEUTENANT-COLONEL FOVEAUX.

H.M.S. Porpoise, Sydney Cove,

18 Sept.

Sir,

Port Jackson, 18th September, 1808.

Bligh and
the naval
command.

I cannot but express my astonishment at your having, so short a time back, permitted Commodore Bligh to have communication with His Majesty's ship Porpoise, and to take upon himself the command of her ; and in your letter of yesterday's date to me, signify that there shall be no further communication between him and me, nor any of the officers or persons under my command.

Captain of
the Lady
Nelson.

I beg to inform you that I received an order from Commodore Bligh (which he has not yet countermanded) to fit out His Majesty's ship Porpoise for sea with all possible despatch, for the purpose of conveying him to England ; and I am sorry that, never having received the stores I applied for, it has not been in my power to complete fitting out the ship, as was intended.

I further beg leave to inform you, that as there has been no officer appointed to the command of the Lady Nelson since I left her to join His Majesty's ship Porpoise, on promotion, except at the time the Porpoise was heaving down, judging it for the benefit of His Majesty's service, I thought proper to spare Lieutenant Ellison to command her on a voyage to Hawkesbury for grain but as His Majesty's ship Porpoise is now nearly in a fit state for sea, I have ordered Lieutenant Ellison to join her again to do his duty as acting lieutenant accordingly. I have, &c.,

W^M KENT.

LIEUTENANT-COLONEL FOVEAUX TO CAPTAIN KENT.

19 Sept.

Sir,

Headquarters, Sydney, 19th September, 1808.

Foveaux
will not
argue with
Kent.

As I am of opinion that my entering, at this peculiar juncture, into further explanation of my motives for restraining Captain Bligh from holding any official communication with yourself and the officers of the Porpoise, would retard rather than facilitate the object of His Majesty's service, I think it is advisable to decline any such discussion.

Bligh's
refusal to
leave
colony.

Notwithstanding the orders you have received from Captain Bligh to prepare the Porpoise to convey him to England, I presume the copy of his letter that I inclosed on the 17th inst. will have convinced you that he has no intention of leaving this colony ; and I persuade myself that your zeal for the public service will induce you to concur with me in the adoption of such measures for the future employment of His Majesty's ship now under your command, as the necessities of the dependent settlement may require.

The demands you made on the 13th inst. have not as yet been complied with, because some of the articles are not in the stores and there are points respecting others upon which I am desirous to inform myself.

Referring to your notification of the removal of Lieutenant Ellison from the Lady Nelson, I hope an officer qualified to command her may be immediately appointed, that the colony may be no longer deprived of her services; and I beg again to repeat my request that she may be despatched as soon as possible to New-castle.

I have, &c.,

J. FOVEAUX.

CAPTAIN KENT TO LIEUTENANT-COLONEL FOVEAUX.

His Majesty's Ship Porpoise,

Sir, Sydney Cove, Port Jackson, 19th September, 1808.

In consequence of having received a letter from you of this day's date, I beg to inform you, that, as I cannot have any communication with Commodore Bligh, and as it appears by your letter that he has no intention of proceeding to England at present in His Majesty's ship under my command; that my zeal for the benefit of His Majesty's service induces me to comply with your request, although in the peculiar circumstances I am at present placed in. At the same time, I have to observe that it was always my wish and study to facilitate His Majesty's service as much as lay in my power; but while Commodore Bligh had communication with His Majesty's ship Porpoise, I could not act otherwise than by his direction.

Kent's
relations
with Bligh
and
Foveaux.

I shall send an officer from His Majesty's ship to take charge of the Lady Nelson; but should His Majesty's ship proceed to sea on any particular duty that His Majesty's service may require, I shall be under the necessity of recalling the officer lent, as she is not sufficiently provided with officers to carry on the duty.

I have, &c.,

W^M KENT.

COLONEL PATERSON TO VISCOUNT CASTLEREAGH.

Port Dalrymple, Van Dieman's Land,

My Lord, 19th September, 1808.

Having by an overland dispatch from Lieut't-Governor Collins from the settlement at the river Derwent on this island learnt that an opportunity presents itself for communicating with your Lordship, I haste to embrace it, and to inform you of the reasons of my dispatch being still dated from Van Dieman's Land.

Paterson
still at Van
Diemen's
Land.

I had the honor of apprizing your Lordship on the 12th March of the intention I had formed, consequent on the extraordinary events that had happened at Port Jackson, of proceeding as immediately as a conveyance could be procured to Sydney to take upon me the duties of the command of the territory until I should have your directions for my further guidance.

1808

CAPTAIN KENT TO LIEUTENANT-COLONEL FOVEAUX.

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18 Sept.

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Bligh and
the naval
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1808
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Paterson
still at Van
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1808

19 Sept.

Paterson
receives
a letter from
Johnston

Feeling I had no option left as to the line of conduct the sense of my duty thus pointed out to me to be pursued, I was most considerably surprized at receiving by His Majesty's ship Porpoise in April an intimation from Major Johnston (a copy of which despatch I have enclosed) that I was superceded as the Lieutenant-Governor of the territory, and that Lieutenant-Colonel Foveaux, my junior officer, was appointed to the situation that must render me subject to his command.*

which induces him
to defer
repairing to
Sydney.

I must assure your Lordship that I felt inexpressible anxiety at the supposition of the possibility of my being placed in so particular a situation; but, however unprecedented it might appear, I at the same moment saw I had but to conform to the will of our gracious Sovereign, whatever might be his pleasure, or however little I was able to account for the cause; and, as it was stated to me that Lieutenant-Colonel Foveaux was hourly expected, I conceived, at all events, I had better protract my voyage until his appearance should determine the nature of his commission, as the colony had been already too much convulsed not to induce me to avoid any possible means of increasing its confusion.

Correspondence with
Bligh.

The arrival of this officer confirms the opinion I had formed of the necessity of my repairing to the headquarters. His letter announcing to me the state in which he found the public affairs I have the honor to forward,† and with my answer,‡ at the same time the first communication I have received from Captain Bligh since the annulment of that officer's authority, of my reply to which I have also transmitted your Lordship a copy.§

I feel persuaded your Lordship will see the difficulties with which I am surrounded, and if in any step I should take I should be considered to have judged improperly, the perplexity previous to my hearing from your Lordship of my means of forming a conclusion in the circumstances that must follow such an occurrence will, I trust, have effect in my extenuation.

Paterson
will act with
caution.

Until I am honored with a knowledge of the pleasure of His Majesty, I have only further to assure your Lordship that I shall observe the necessity of acting with extreme caution, but that I shall, at the same time, anxiously exert myself with the most sincere intention of supporting and furthering the welfare of the territory so particularly left to my command with the interests of which a residence of seventeen years, conjoined to having a greater part of that time fulfilled in it the duty of Lieutenant-Governor,

* See this despatch of 18th April, 1808, ante, p. 595, and Paterson's reply of 14th May, ante, p. 637.

† Ante, p. 736.

‡ Post, p. 764.

§ Ante, p. 701, and post, p. 763. It will be seen that Paterson's letters to Bligh and Foveaux which he enclosed with this letter were dated ten days later than the covering letter. The explanation probably is that the covering letter was written first and was held back until the enclosures were completed.

has materially acquainted me, and from which I am the more induced to entertain a hope of the measures I may find necessary to adopt in its temporary direction coinciding with your Lordship's wishes.

I have, &c.,

W^M PATERSON.

GOVERNMENT AND GENERAL ORDER.*

Headquarters, 20th September, 1808.

A COURT of Criminal Judicature is to assemble at Sydney, on Monday next, the 26th instant, at 10 o'clock in the forenoon.

GOVERNMENT AND GENERAL ORDER.*

Headquarters, 22nd September, 1808.

LIEUTENANT-GOVERNOR FOVEAUX has been pleased to appoint Robert Fitz, Esq., a magistrate for the county of Cumberland.

The Lieutenant-Governor has also appointed Mr. Fitz to be Captain Commandant of the Parramatta Volunteer Association.

The Loyal Sydney and Parramatta Volunteer Association are to be victualled from the stores from Saturday, the 24th instant.

GOVERNMENT AND GENERAL ORDER.*

Headquarters, Sydney, 24th September, 1808.

THE duty laid by order of Governor Bligh on the shipping of sandal-wood is not in future to be levied ; but the exporters of that article are to be required to enter into security for the payment of it, should the imposition of such duty be sanctioned by His Majesty's Ministers, for whose instructions on that head Lieutenant-Governor Foveaux means to apply by the earliest opportunity.

The duty on sandal-wood.

Such sums as have hitherto been paid on account of said duty are to be returned by the Naval Officer to the persons who paid them, on their giving security for the repayment should they be hereafter called upon for that purpose, in consequence of the continuance of the duty being approved of by the Government in England.

ROBERT CAMPBELL TO GOVERNOR BLIGH.

Sir,

Sydney, 26th September, 1808.

26 Sept.

On reading the General Order of yesterday respecting the duty on sandal-wood, I cannot refrain expressing my indignation at the art and chicanery that has been attempted by the persons who usurped your Excellency's Government, to place the salutary and wise regulations you had enacted for the general benefit and welfare of the colony in an unfavourable point of view, no doubt with an intention of deluding the public to answer sinister purposes. Permit me to inclose your Excellency an estimate of the

Campbell on the rescission of duty on sandal-wood.

* Reprinted from the *Sydney Gazette* of the 25th September, 1808.

1808 cost and charges of a Colonial ship or vessel on a sandal-wood
26 Sept. voyage, which is done on principles the rascality and deceit practiced
here cannot refute.

The duty paid by the purchaser. As this duty was only to be paid when the article came to be
exported, it could not operate against the inhabitants, not even
those who had experienced so very lucrative a trade in procuring
sandal-wood, as the duty was paid by the purchaser, and who have
paid a much greater price than fifty pounds p'r ton, the value that
had been rated when the exportation duty of fifty shilling p'r ton
was first enacted.

I have, &c.,
ROB'T CAMPBELL

[Enclosure.]

ESTIMATE of the cost, expences, and outfit of a Colonial vessel pro-
ceeding on a voyage to the Feejee Islands for sandal-wood, &c.

Value of the vessel fitted for sea, with boatswain, carpenter, £ s d
and gunner's stores 2,000 0 0

Monthly Wages, viz. :—

| | | | | | |
|--|--|--------|-----|-----|-----|
| Cost of a vessel's out-
fit, and
wages of
crew. | Master | | £15 | | |
| | Chief Mate | ... .. | 8 | | |
| | Second do | ... .. | 6 | | |
| | Carpenter | ... .. | 6 | | |
| | Boatswain | ... .. | 5 | | |
| | 15 Seamen @ £4 | ... .. | 60 | | |
| | <u>£100</u> per month for 6 months is... | | | 600 | 0 0 |

Provisions and Trade.

| | | | | | |
|---|--|-----|----|---------------|------------|
| Cost of pro-
visions. | 26 weeks at 1 lb. pork pr. man pr. day, is 3,640 lb. | £ | s. | d. | |
| | at 1s. 6d. | 273 | 0 | 0 | |
| | 26 weeks bread per man, is 3,640 lb. @ 36s. per cwt. | 58 | 10 | 0 | |
| | Flour, 520 lb. @ 6d. | 13 | 0 | 0 | |
| | Sugar, 520 lb. @ 1s. | 26 | 0 | 0 | |
| | Spirits, ½ gill daily per man, 45 galls. @ 15s. | 33 | 15 | 0 | |
| | Trade | 200 | 0 | 0 | |
| | | | | 604 | 5 0 |
| Premium of insurance on £3,000 (sea risk) @ 5 per cent. | | | | 150 | 0 0 |
| Total amount... | | | | <u>£3,354</u> | <u>5 0</u> |

Cr.

| | | | | |
|------------------------------------|---|---------------|-----------|----------|
| Estimated
profits of
voyage. | Suppose 130 tons of sandal-wood, being the average of four
cargoes already received, at £50 per ton | 6,500 | 0 | 0 |
| | Deduct the cost of the vessel and outfit with sailing expences
agreeable to the above estimate | 3,354 | 5 | 0 |
| | | <u>3,145</u> | <u>15</u> | <u>0</u> |
| | Add the value of the vessel on her return | 1,200 | 0 | 0 |
| | Net profit on investing a capital of £3,354 5s. in six months | <u>£4,345</u> | <u>15</u> | <u>0</u> |

ROB'T CAMPBELL

Mem.—The estimate of duties to be paid on sandal-wood was made on
fifty pounds per ton, whereas it has been sold here by the proprietors
considerably higher.

COLONEL PATERSON TO GOVERNOR BLIGH.

1808

Port Dalrymple, Van Dieman's Land,

Sir,

29th September, 1808.

29 Sept.

Your communication of the 8th inst.* I duly received by the Estramina schooner, and I must express I have been surprised that you should have deferred it so considerable an interim as has elapsed between the 26th Jan'y and the 8th August (the date), two opportunities having presented themselves—viz't, by the Speedwell and by His Majesty's ship Porpoise—your silence by which conveyance causes me much astonishment, as it must have consequently occurred to you that the adventitious suspension of your authority, from whatever cause proceeding, devolved it in the same moment, without his having an option, on your immediate successor in the command of His Majesty's forces then within the limits of the territory, as your Lieutenant, to whom, I cannot help observing, it appears to me it would not have been imprudent to have instantly referred and possessed of every information in your power, to enable him the better to judge of the nature and of the causes of the critical displacement of your authority.

Bligh's delay
in writing
to Paterson

as next in
rank.

I must, at the same time, assure you that the call you make on me after this elapse was unnecessary, for could I have seen the possibility of restoring your authority without the orders of His Majesty's Ministers—or indeed, previous to my receiving them—with safety to the colony, I should not have waited for your demanding what I should have felt compelled to perform the instant I was acquainted with the occurrences that have happened. Nor, I trust, should I have forgotten myself so far as to have presumed to have exacted conditions from him, whose duty it must have been, the instant he revived supreme command, to have conformed to no stipulations but those of my superiors; but I can not, in justice to you, conceal that the causes which have been represented to me as the inducement of the arrest you urge me to release you from are of an import—and, at the same time, such serious consequences are stated to me may be apprehended should this step be taken—that I cannot conscientiously wish an act which can do no possible good until intelligence is received from England, and may be productive of evils my life cannot counter-balance.

Bligh's
appeal to
Paterson.

Paterson
will wait
orders from
England.

It has further been represented to me that your departure from the colony has alone been protracted by yourself; but I beg to submit to your judgement that your own interests require an immediate presence before those who only can now decide on your conduct, and on the steps that have been pursued, their causes and consequences; and I must add, I feel persuaded that the peace and interests of the settlement over which you have presided equally demands you to hasten your departure, for remaining, as

Bligh should
no longer
delay repair-
ing to
England.

* Bligh's letter was dated 8th August—ante, p. 701.

1808
29 Sept.

unforeseen circumstances have situated you, can be productive of no good effect to the community, and prevents the agitation subsiding that has ensued, unavoidably, from an event of so uncommon a nature.

I have but to add that, in the conduct I myself pursue, in the very intricate situation I am placed, if I am thought to have err'd, it will have proceeded from a deficiency of judgement and not an absence of intention to act for the honor and the welfare of His Majesty's service.

Paterson
preparing to
sail for
Sydney.

Causes that I have explained to the Right Hon'ble the Secretary of State have hitherto prevented my appearing at Port Jackson; but I am now preparing to leave my present command by a vessel for which I have written with this opportunity to convey me to Sydney, where I shall take upon me the temporary administration of the government until I am possessed of directions for my further guidance; and, should you not have left the country before the period I may be expected to arrive, I have been necessitated to apprise Lieut't-Governor Foveaux that it will become unavoidable that you should remove to the Government House at Parramatta, that I may be enabled to carry on the business of the colony at the Government House of the headquarters.*

He will
want Go-
vernment
House.

I have, &c.,

W^M PATERSON.

COLONEL PATERSON TO LIEUTENANT-COLONEL FOVEAUX.

Sir, Launceston, Port Dalrymple, 29th September, 1808.

Paterson ap-
proves of
Foveaux's
acts.

Your dispatch of the 16th ult^o† has afforded me a satisfaction to perceive you have acted with a deliberation equal to the firmness I had anticipated you wou'd exercise in the most critical state you have found the public affairs.

He regrets
his delay in
reaching
Sydney.

You will doubtless have been acquainted with the reasons that have prevented your finding myself at Port Jackson, and altho' retrospection is fruitless, I now regret that any representation shou'd for a moment have suspended the resolution I had formed from the opinion I entertained that my duty to repair there was absolute; but from the intimation transmitted to me of your being appointed my successor in the Lieutenant-Governorship of the territory, I judged it prudent to wait your daily expected arrival.

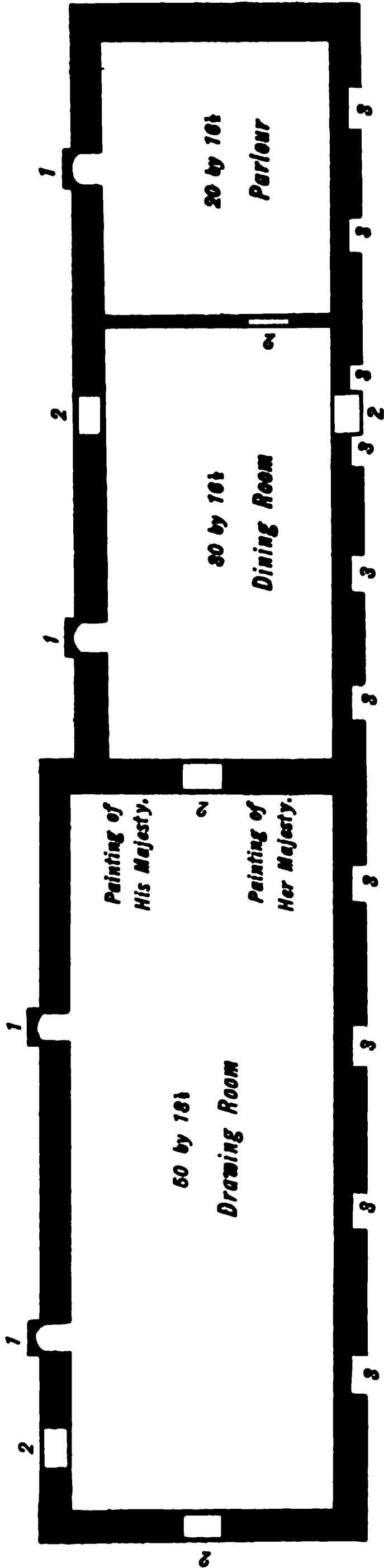
A severe
illness.

Since the departure of His Majesty's ship Porpoise my constitution has undergone a trial I had given up all hopes of surviving, and that has left me debilitated beyond any attack I have before known; indeed, so much so, that altho' I am not unaware of the pressing necessity of my presence at Sydney, yet I feel I shou'd, by venturing on a passage in the Estramina, be criminally rushing in my destruction.

* When Paterson arrived in Sydney in January, 1809, it was discovered that this letter to Bligh had been inadvertently sent Home with the despatches to England.

† Ante, p. 736. Foveaux's reply will be found on p. 786, post.

GROUND FLOOR OF THE FRONT ROOMS OF GOVERNMENT HOUSE, SYDNEY, 1808.



- Nº 1 Chimneys The two small rooms, 9 feet high.
- Nº 2 Doors The long room, 11½ feet high.
- Nº 3 Windows The windows, 7 feet high.

NOTE—This plan was found amongst the paper of the year 1808 with no information other than appears upon its face.

I have therefore return'd her as early as circumstances wou'd allow, that no time may be lost in a vessel of larger burthen being sent, in which I may venture to once more repair to the headquarters of the regiment I have the honor to command in New South Wales, with some shadow of hope of reaching them.

1808
29 Sept.
The Extra-
mina.

The contents of the 2d, 3d, and 8th paragraphs of your dispatch relating to the late Governor, Bligh impress me fully with the conviction that by any power in it to attempt his restoration to command wou'd be dangerous to the safety of the territory, and that no authority but that of His Majesty's Ministers can now extricate the colony from the state the unforeseen events occurring have placed it in.

Bligh's
restoration
inadvisable.

In answer to the first communication I have receiv'd from Captain Bligh since his arrest, I have stated to him* my apprehension that he will be meeting the wishes of his superiors if he repairs to England as instantly as possible, where alone the approval or disapprobation of his conduct, or of the steps that have annulled his authority, can further affect him.

Paterson
advises
him to go
Home.

By my dispatch you will also learn I have inform'd that officer, unless he does so proceed, it will be necessary he shou'd remove to the Government House at Parramatta, that the Government House at Sydney may be ready for my reception, to enable me to properly carry on the very anxious duties of the offices become incumbent on me by the interreign that has been occasioned. And I have to beg that you will (shou'd he not have left the colony) cause the proper steps to be taken for his removal by the period you may have reason to expect my arrival.

Government
House to be
vacated.

The delicacy you have exercised with respect to interfering with the naval service, from an apprehension of the step you might take not being strictly conformant to its regulations, I cannot but much approve, expressing at the same time my own inability to form a conclusion that can safely decide the line to be adopted in so singular an instance, although I must add it appears to me that His Majesty's ship Porpoise having been sent out for the service of the settlement, she must consequently be at the controul of the director of it for the time-being.

Control of
King's ships.

It wou'd be here, further, at such a moment, improperly withholding from you an opinion of which the nature of your decisive communication alone requires my explicit avowal,—that, as the country is now situated, I see the absolute necessity of the late Governor quitting the colony, if the removal from the inhabitants of any cause of further agitation is exclusively considered ; indeed, I fully believe the Ministers will be of opinion so much time shou'd not have elapsed as has been lost by the obstacles which, it appears, have protracted his departure ; and it seems to me, from every point of view in which I have seriously contemplated the subject,

Necessity for
Bligh being
sent to
England.

* See Paterson to Bligh, 29th September, 1808—ante, p. 763.

1808

29 Sept.

Paterson's
surprised at
Bligh
remaining.

Employ-
ment of
H.M.S.
Porpoise.

that it shou'd have been desired by this officer himself, as immediately as possible after his authority had been rendered void, from whatever cause his cessation proceeded ; but I am at the same time persuaded, you will be aware, how difficult it must be for me to form any decisive conclusion of the further arrangements necessary, in the instance, while I am so distant from the capitol, where, on my arrival, shou'd your own judgment not have removed the necessity, they will become the first subject of my determinations ; and if Captain Bligh, in the intermediate time, has not expressed his unequivocal intention of sailing as early as His Majesty's ship Porpoise is ready for sea, I have to beg you will represent to Capt. Kent that it is my request this vessel shou'd again sail for Port Dalrymple to carry me to headquarters, provided she is (as I have reason to suppose must be the case) prepared for the voyage by the time my dispatch reaches you ; for, notwithstanding it becomes to us difficult to resolve how far the disposition of this vessel is subject to the entire discretion of the officer who has the supreme responsibility and charge of the territory, for the protection and benefit of which she must have been sent, yet it is a duty, at all events, to prevent the possibility of any blame of her not contributing to such objects devolving on ourselves by our not having pointed out the means ; and, indeed, I must add that unless Captain Kent considers himself restricted by his subjection to the orders of Captain Bligh, I have the most perfect reliance on his meeting our wishes with the alacrity that gave me so much pleasure in April last.

A private
vessel to be
hired if
Porpoise not
available,

Shou'd there, however, be any obstacles to the Porpoise sailing for this purpose directly, it will become absolutely necessary, and I must authorise you, as speedily as possible to take up any vessel adapted that may be in the harbour ; and shou'd you not, from any cause, conclude on the terms of the voyage yourself, I see no plan to be pursued more equitable, or that must be more satisfactory in so particular a case to His Majesty's Ministers, than to leave them to a decision conformant to the method I proposed with the master of the brig Harrington, in March last, my memorandum of which I enclose.* And as a necessity exists of cloathing and stores of every description being immediately sent to this settlement, as well as the propriety of a supply of salt meat, as by the period I may expect an arrival there will be only four months' rations in the colony, the expense that may be occasioned will be materially counterballanced by the sum it will save in the opportunity afforded of sending these supplies.

and supplies
sent in her.

Letters for
England.

An overland dispatch from Colonel Collins having apprised me of the means of communicating direct with the Secretary of State, I have been unavoidably necessitated to detain the Estremina longer than I had intended, to enable the forwarding many necessary papers to His Lordship.

* The enclosure is not available.

I have now only to conclude by observing that whatever steps are taken in the interim of being acquainted with the sentiments of His Majesty's Ministers, they must be so replete with important consequences, and require such serious consideration, that I feel I shall be in need of a conjunction of all the assistance that can be afforded me, and I have a gratification in looking forward to the benefit I must receive by your having arrived in so urgent a moment.

1808
29 Sept.
Paterson
will need
Foveaux's
assistance.

I have, &c.,

W'M PATERSON.

COLONEL PATERSON TO SIR JOSEPH BANKS. (Banks Papers.)

Launceston, Port Dalrymple,

Dear Sir,

29th September, 1808.

The unexpected arrival of a despatch* from Port Jackson affords me an opportunity of writing this letter, which I hope will arrive at head-quarters in time to be forwarded to you by the ship which conveys Governor Bligh, under an arrest for such crimes as Major Johnston, at the request of the most respectable inhabitants, and with the advice of his officers, conceived it necessary to take the steps he has done.

The arrest of
Bligh.

As I am, thank God, at such a distance from Port Jackson, I cannot enter into the merit or demerit of such an extraordinary event; but both from my public and private accounts it appears that the Government was in a wretched state from tyranny and oppression (at least, so say they) when the circumstances took place. How far the crimes he is accused with, when investigated by unprejudiced people, will appear, time can only determine; until then I shall be anxious to know the result, which I hope you will be so kind as to communicate when it is decided upon.

Rumours of
tyranny and
oppression.

I mentioned to you in my last the friendly manner in which the Governor, Capt. and Mrs. Putland behaved to Mrs. Paterson and myself during our stay at Port Jackson, which I shall ever acknowledge, and am sure had he remained in the Government our friendly communications would have continued.

Paterson
and Bligh.

It gives me pleasure in informing you that we are all happy here, and the accidental supplies I have received, together with a plentiful harvest, has occasioned a new turn to our prospects. Those who were making fortunes (in my absence when at Port Jackson) by putting kangaroo flesh into store at the enormous price of one shilling and sixpence per pound, when it might have been supplied at seven-pence—that animal food being no longer wanted, they are now turning their attention to cultivation. Those very people declared that nothing would grow, and had I not superintended cropping the ground myself there would not have been a bushel of grain grown in the country. Everything is

Supplies at
Port Dal-
rymple.

* That of 16th August from Foveaux to Paterson, ante, p. 736.

1808 now in a flourishing state We only want industrious settlers,
29 Sept who know something of farming, and more prisoners to assist them.

Paterson's
rank as
Lieutenant-
Governor.

When I was first sent to take the command of this settlement a paragraph in my Lord Hobart's despatch* to Governor King stated that I was to continue administering the Government of this colony during His Majesty's pleasure, or in case of the absence or demise of the Governor.

I certainly should have availed myself of these words in the present instance ; but doubting how far the late circumstance which occurred at Port Jackson will be approved of, I do not conceive myself warrantable to quit this command until I receive His Majesty's instructions on that head.

Botany.

I am sorry to say that I have made no progress in collecting plants, &c., this last year, owing to ill-health and the trouble and anxiety I have had in forwarding the concerns of Government, without having hardly any assistance, but hope I shall make up for it the ensuing season.

Manna.

I have made some discovery of fossils in this neighbourhood which I think are curious, also an insect which produces very fine manna, which has been given as that medicine and proves equally good. It is only found on the narrow-leaved eucalyptus, where thousands of these insects resort to about the beginning of November and continue till January in the winged state when they deposit their eggs in the earth and die. I have them now in two stages—one without wings and the other in maturity. I now only wait to get the larva when I shall send you the whole tolerably complete, with specimens of the tree, &c. This sacchrine substance can be gathered in large quantities ; I am certain upwards of twenty pounds might be procured from one tree. By a former conveyance I sent Governor Bligh a specimen of it, which I have no doubt he will take to England.

Meteor-
ology.

In communicating with Co'l Collins respecting our different climates, I find our summers are much hotter and our winters much colder. In his letter to me, dated the 16th ult., he says the cold weather is already set in. The thermometer, at 2 p.m., was at 62°, and here the same day it was 94° in the shade and 122° in the sun. The difference of our season for sowing is also remarkable. At the Derwent they begin in February ; we seldom sow until May, and continue until October, and some of the best wheat we have was sown in that month.

It will give me much pleasure to hear you are in better health than when I last heard from you. I beg my respects to the ladies, and compliments to all friends.

I remain, &c.,

W. PATERSON.

* The paragraph referred to will be found on p. 159 of vol. v.

EDWARD MACARTHUR* TO HIS MOTHER. (Macarthur Papers.) 1808

My dear Mother, Castle-street, 30th September, 1808. 30 Sept.

At this moment that I am conveying to you the pleasing intelligence of my safe arrival, I feel inspired with a hope that you are restored to your health, and in the enjoyment of every happiness that can be expected from a country in such a perturbed state, and of which the society is so exceptionable. When this reaches you, my dear mother, it is my prayer that it may add to the other causes of your happiness; but if on the contrary, it will I know be no small gratification to learn that your son has not a greater source of uneasiness than spring from the distance which prevents him from flying to your embrace.

Arrival of
Edward
Macarthur
in England.

You will be rejoiced to learn how fine a youth John has become. He is almost as tall as myself, and at the same time remarkably stout. Much as he grows in stature, yet it does not equal the degree to which his mind daily expands; and such is his manner of reasoning that he is beheld with astonishment, mixt with admiration. John's wishes incline him to embrace the profession of the law, and he is wonderfully delighted at the idea of becoming a councillor. Dr. Lindsay imagines he will make a shining character in that profession. Since my arrival I have lived at Mr. Thompson's, and the manner in which I was received, together with the fresh marks of affection which are every day displayed towards me, can be compared to nothing but that which I experienced when I returned to New South Wales; indeed, my dear mother, it seems as if the two families were disputing to which of them I belonged, and which could regard me with the most affection.

John
Macarthur,
junior.

On my arrival I found that Mrs. King was a widow: Governor King died about a week before. I have scarcely seen Mrs. King. I was unable to call upon her till the other day, when, in going to her house, I met her on the road, and as she was on particular business she could not return. She resides some miles from London. I promised her that if she would have the goodness to tell me when she would be at home, that I would certainly wait upon her.

Death of
Governor
King.

Mr. Marsden is in town, but I have not seen him, nor do I know how Mrs. Marsden and the children are, who are all in Yorkshire.

Rev. Samuel
Marsden.

General and Mrs. Grose are in town: they have been very particular in their enquiries about yourself and my dear father.

General
Grose.

Captain and Mrs. Kent are also in London, but I have not had an opportunity of seeing them.

Captain
Kent.

Gov'r and Mrs. King have been rather intimate with Mr. Thompson's family, and Mr. T. has told me that our family was

Mrs. King.

* Edward Macarthur (afterwards General Sir E. Macarthur), eldest son of John Macarthur. He sailed in the Dart, accompanied by Charles Grimes. They carried Johnston's despatches informing the British Government of the arrest of Bligh.

1808
20 Sept. always mentioned in the most affectionate manner. Mrs. King seems to have some idea of returning to New South Wales, for her affairs, poor woman, I understand, are rather in a disunited state.

Miss Thompson has promised to write, and she will, I have no doubt, give a long account of interesting circumstances.

Elizabeth
Macarthur.

Now, my dear mother, my thoughts turn seriously towards your distant quarter. My dear Elizabeth—must I mention the name! I fear what I dare not write. Poor, dear girl, her last embraces made a strong impression on my mind. To my dearest Mary my most affectionate love, and to James and little Billy the very same. Remember me particularly and affectionately to Miss Lucas, and give my regards to Mrs. Abbott, Mrs. Minchin, &c., &c., &c. I must now, my dear mother, conclude, for it is past 12 o'clock, and I am much fatigued. That God may stretch forth his protecting hand towards you is, and has long been the prayer of,

Your affectionate son,

E. MCARTHUR.

EDWARD MACARTHUR TO WALTER DAVIDSON.

(Macarthur Papers.)

Castle-street, Leinster-square,

My dear Davidson,

30th September, 1808.

Arrival of
the Dart and
Brothers.

I have the pleasure a second time to thank you for your letter which I received at St. Helena on the 10th of July, from whence you will perhaps receive a letter from me dated on the day of my departure from that island. The Dart and Brothers, together with the China Fleet, arrived in the Downs on the 12th instant*; but as I was anxious to get to town lest the duplicates of my letters should be delivered before the originals, I landed in a fishing boat off the Start Point in Devonshire, from whence I proceeded to London with—whom do you imagine—Captain Alexander Ferguson, late of the Lucy. “And what the d—i brought you into his company?” you will say. A most extraordinary assemblage of circumstances. Captain Ferguson came from Penang in the Camden, and Mr. Grimes, about a week before we made the land, went on board that vessel. The place at which I landed was so remote that I had not the most distant idea of seeing any one from the fleet, and you may imagine I was not a little surprised to find four gentlemen with whom I was acquainted in possession of the quarters and the only vehicle in the place, excepting a cart. They came from the Camden—Capt. F., Mr. Grimes, the purser of the vessel, and a parson from St. Helena. The purser franked Mr. G. up to town, for he is franked himself. These two took the only post-chaise in the place, and were off. The parson would not start, and Capt. F. and myself determined to take the cart, and go on to the next post town. We did so.

Edward
Macarthur
in England.

His com-
panions.

* The Dart sailed from Sydney on the 20th April, and The Brothers on the 2nd May, 1808.

and continued in company to town, since which time I have not
seen the gentleman. I found all our friends well, and in Mrs.
Thompson's family another home, for I was received as a son.
Sir Walter's* family are mostly out of town. I have dined with
him once or twice, and he is always glad to see me. I have had
no conversation with him yet respecting yourself; but I imagine
he must have much to say, as well as many enquiries to make on
the subject of the advancement of your pursuits. Mr. R. Farquhar
is in town, and Mr. and Mrs. Halliday are arrived from India.
Mrs. Hamilton is in the country, as are Dr. and Mrs. Hook.

1808

30 Sept.

Friends of
the family.

Our late affairs make little impression on the public mind, and
excite still less attention at the offices, for Spain and Portugal
attract all their attentions—all their thoughts. The Convention
has caused a great ferment, and the nation loudly call for the
punishment of those who were concerned in that disgraceful
business. You will not comprehend me until you have consulted
the newspapers, and I have no time to explain myself.

European
politics.

In a few weeks the probability is that I shall be in one of our
armies, either that on service in Spain or that in Portugal. A
wide field is open for honor and promotion, and I burn to be there.
The Spanish expedition resounds from all quarters, and the ladies
themselves lament that their sex prevents their joining in so
glorious a cause.

Macarthur
eager for
service.

Adieu, my dear Davidson. The next time you hear from me
expect to learn that I bear H.M. Commission. Till then, farewell;
and believe,

Yours, &c.,

EDW. MCARTHUR.

EDWARD MACARTHUR TO HANNIBAL MACARTHUR.
(Macarthur Papers.)

My dear Hannibal, Castle-street, 30th September, 1808.

I have begun close up, you will perceive, with the intention
of writing a long letter, but whether that will be the case I can't
promise. Your letter by the Brothers I received at St. Helena,
and I am little capable of expressing the pleasure which it afforded
me. I should have thanked you for your attention from that
place had there been any direct conveyance. I wrote to my father
by way of India and the Cape of Good Hope, and also dropt a few
lines to Davidson; but I do not imagine they will reach New
South Wales before this vessel. Should they, however, I trust,
my dear coz., you will not imagine I was neglectful of my promise
or unmindful of the friendship we have formed.

Letters to
New South
Wales.

I have been in town about three weeks, and, do you know, I
have been so much in a bustle that it does not appear three days.
A most provoking circumstance—I landed only thirty miles from

* Doubtless Sir Walter Farquhar, the celebrated physician, and uncle of Walter Davidson,
to whom the letter was addressed.

1808

29 Sept.

Family
news.

Plymouth, and was so situated that I was compelled to proceed to London with as much speed as possible. I gave my uncle an account of affairs at Port Jackson in the Channel the day before I landed, and forwarded it to him when I went on shore. I heard from him a few days ago, and received a long letter from Mary. They are all well. Kate is married to a lieut. in the Navy: James and John are still at home: Charles is in a man-of-war in Spanish America; Mrs. Nicholson is at Rochester, and very well: Captain N—— is at Lisbon, and will shortly be at home. Poor Elizabeth has been very unfortunate with her children; she has had two, both of whom are dead. I wrote both to her and Mary, and told them how unhappy you were at never hearing from them, and scolded them as well as you could have done yourself. What efficacy my lectures have had you will be enabled to judge when the vessel arrives which will bring you a packet. I have received no letters from them for some time, and, from what I conjecture, they are very busy in their endeavours to regain your good opinion.

Death of
Governor
King.

Mrs. King has suffered a great loss in the death of Governor King: he died about a week before my arrival. Elizabeth is at school, and the rest of the family are at home. I have not seen any part of the family yet excepting Mrs. King.

The Rev.
Samuel
Marsden.

The account of transactions which we have witnessed so alarmed Mr. Marsden that he came the other day post haste up from Yorkshire. I have not yet had the pleasure of meeting him. When I came home this evening, I found Captain Temple's card here.

Yours, &c.,

E. MCARTHUR

Population
of Hobart
Town.

GENERAL Statement of the Inhabitants in H. M. Settlement at Hobart Town, Van Dieman's Land, on 30th September, 1808.

Civil Department victualled.—1 Lieut.-Governor and Lieut.-Colonel, R.M., 1 Deputy Judge-Advocate, 1 Chaplain, 1 Principal Surgeon, 2 Assistant Surgeons, 1 Deputy Commissary, 3 deputy surveyor, mineralogist, and inspector of public works; 3 storekeepers and superintendents, 4 overseers, freemen; 2 overseers, prisoners; 3 women, 3 children above 10 years of age, 2 children under 5 years of age. Total number of Civil Department victualled, 27.

Military Department victualled.—1 first lieutenant, 1 second lieutenant, 1 second lieutenant (absent with leave), 6 non-commissined officers, 2 drummers, 36 rank and file, 10 women, 1 child above 10 years of age, 1 child under 10 years of age; 10 children under 5 years of age. Total number of Military Department victualled, 68.

Settlers and Free People victualled.—151 men, 22 children at full, 87 women, 53 children above 10 years of age, 47 children under 10 years of age, 50 children under 5 years of age. Total number of settlers, &c., victualled, 410.

Settlers and Free People not victualled.—4 men, 2 women. Total number not victualled, 6.

Prisoners victualled.—198 men, 27 women. Total number of prisoners victualled, 225.

Supernumeraries.—Total number of supernumeraries, 18.

Prisoners' Wives and Children victualled.—15 women, 2 children at full, 3 children above 10 years of age, 8 under 10 years of age, 17 under 5 years of age. Total number of prisoners' wives and children victualled, 45.

Rations victualled.—455 full, 202 two-thirds, 56 half, 79 quarter.

Total.—792 victualled, 6 not victualled, 636 full rations. Total in the colony, 798.

LEONARD FOSBROOK,
Deputy Commissary.

An Account of the Settlers, Free Persons, and Prisoners, received into this Settlement from Norfolk Island, from 29th November, 1807, to 1st October, 1808.

Norfolk
Island
settlers.

| Time received. | By what Conveyance. | Settlers
and Free
Persons. | Women. | Children. | Prisoners
(Male). | Total
Number
received. |
|---------------------|-------------------------------|----------------------------------|--------|-----------|----------------------|------------------------------|
| Nov'r 29th, 1807 .. | P. H.M. Brig Lady Nelson.. | 15 | 6 | 13 | .. | 34 |
| Jan'y 17th, 1808 .. | P. H.M. Ship Porpoise .. | 56 | 39 | 76 | 11 | 182 |
| March 1st, 1808 .. | P. H.M. Brig Lady Nelson.. | 25 | 12 | 11 | 2 | 50 |
| June 7th, 1808 .. | H.M. Col. Sch'r Estrammina .. | 23 | 13 | 24 | 2 | 62 |
| October 2nd, 1808.. | P. City of Edinburgh .. | 83 | 39 | 96 | 8 | 226* |
| Total.. .. | | 202 | 109 | 220 | 23 | 554 |

LEONARD FOSBROOK,
Deputy Commissary.

LIEUTENANT-GOVERNOR COLLINS TO UNDER-SECRETARY COOKE.
Hobart Town, Van Diemen's Land,

Sir, 1st October, 1808. 1 Oct.

The ship Rose being about to depart hence for England, I avail myself of the opportunity of addressing you upon the subject of a dispatch received from Lord Castlereagh at Port Jackson, an extract of which has been transmitted to me by Lieutenant-Colonel Foveaux. It is therein stated that "this settlement is represented by Governor King to be at too great a distance for the general resort of whalers, and therefore not likely to become of any material importance."† What motive that officer could have for this assertion is unknown to me, and I cannot but think he must have intended to have spoken of the settlement at Port Dalrymple, as it is well known that no whaler has ever put in there for the purpose of procuring a cargo; whereas this place has been resorted to every season since I have been here by whalers, many of whom have filled their ships with oil procured in the river and adjacent bays, and proceeded therewith to England. It is situated contiguous to New Zealand, the advantage of which is that at the end of the fishing season there, if it should have proved unsuccessful, the ships may run to this river and compleat their cargo, as the black whale resorts hither when the sperm whales

Governor
King's
opinion of
Hobart
Town.

Collins
thinks he
must have
meant Port
Dalrymple.

Advantages
of Hobart
Town.

* Collins stated (post, p. 785) that the City of Edinburgh had on board 242 Norfolk Islanders.
† Ante, p. 402.

1808

1 Oct.

quit the coast of New Zealand. Several of the latter have also been killed off Cape Pillar by ships coming to this river, and a whaler, the Dubuc, now about to return to England, has taken in 180 tons of black whale oil procured here this season.

Proposed
reduction of
the estab-
lishment.

I am the more desirous of stating these particulars to you, sir, as it appears by Lord Castlereagh's letter that in the event of Governor King's information being right no settlers are to be sent here, but it is to be retained as a place where convicts may be usefully employed until the utility of forming in it a more permanent establishment may be more fully ascertained.

Norfolk
Islanders at
Hobart
Town.

At the date of His Lordship's letter it could not have been known that the whole of the settlers at Norfolk Island, with very few exceptions, having it in their option where to fix their future residence, had made their election of this settlement, a great part of whom are now in it, and the remainder daily expected, from whose exertions, if properly supported and encouraged, I have every hope that this part of New Holland will ultimately be entitled to attention.

I have, &c.,

DAVID COLLINS.

EDWARD MACARTHUR TO HIS FATHER. (Macarthur Papers.)

My dear Father,

London, 1st October, 1808.

Edward
Macarthur's
reception at
the Horse
Guards.

I embrace the opportunity of the Sydney Cove's return to Port Jackson to inform you of my safe arrival and to acquaint you with the little occurrences since, together with the impressions made by the accounts of which I was in part the bearer. I came to town on the 12th, and immediately went to the Horse Guards with my public letters; but it being evening, and as there was no official person to whom I could deliver them, I returned, and called again next morning, when I saw Colonel Gordon to whom I committed my charge. He received me with a great degree of kindness, asked me a few questions about the colony, but none in the least applicable to the subject of the letters; and having complimented me on the modesty with which he was pleased to say I conducted myself, wished me good morning, asked for my address, and said that he should send for me in a few days.

He waits on
the Duke of
Northum-
berland.

Mr. Brogden and Mr. McArthur, as well as Mr. Plummer, were out of town, and before I had performed half of what was necessary for me previously to do the day was too far advanced for me to think of waiting on the Duke of Northumberland till the next morning. As I had not the assistance of Mr. Brogden's introduction, I found some difficulty from the servants in gaining admission to His Grace's presence; but as I was determined to deliver Colonel Johnston's letters to no other person than the Duke, my card was at length taken up, and the obstructions vanished. His Grace immediately sent for me, and, addressing me by name, thanked me for my attention in coming to Sion House, and, instead of

interrogating me on the subject of the transactions in N. S. Wales, began to relate even the most particular parts of what has taken place, even to the business of the stills, and was severe in his animadversions on the conduct of Governor Bligh. This surprised me not a little; but I discovered that he had received the evening before, by the post, the duplicates of the letters by the Brothers. His Grace was greatly pleased at the accounts I gave him of the noble race of horses by Northumberland*; and after I had been with him for two hours—for it was impossible to leave him before—I retired. His Grace told me that he should be obliged by any communications I could make to him about the late events, and that when he came to town he should be happy to see me. He greatly interests himself in Colonel Johnston's welfare, and, from the family connection between His Grace and Colonel Gordon, his influence will be very great. I understand, also, that under the existing state of affairs his opinions have great weight. Mr. Watson was not at home the first day I called; but I saw him the morning of my interview with the Duke of Northumberland, and found him, indeed, a friend. He went to the Secretary of States' office to learn the impressions made on Mr. Cook's† mind by the account he had received, and found them favourable to yourself; but Mr. Watson has since informed me that Mr. Cook does not now think you so much unconcerned in the late transactions as he did at first imagine. Mr. Watson superceded the necessity of my waiting on Mr. Cook by asking him if he was desirous to see me, and Mr. Cook requested Mr. Watson to tell me that there was no occasion for my coming to him. Mr. Watson brought Captain Russell off with flying colours. The public mind is at present so much agitated by the affairs of Portugal that neither they or the Ministry in the least regard the occurrences in New South Wales. So much have they to do at the offices, that I do not imagine they have read one-half the papers necessary to elucidate the business, but they regard the whole of the transaction, with a view to precedent, in a jealous kind of way.

I understand that Bligh's friends, however, who have had leisure to examine the affair, wear gloomy countenances. Mr. Watson desired me not to pay the least attention to the opinions I heard in common conversations. He intends to write to you by this vessel. Your letters to Mr. Brogden, Mr. McArthur, and Mr. Plummer I enclosed to them. To Mr. McArthur I sent a complete copy of the whole of the papers in my possession, and another copy of the trial to Mr. Plummer after Dr. Lindsay had perused it. I have greatly to regret that I could make no more than two copies on the voyage, for everyone calls for your trial, and with

1803

1 Oct.

The Duke
interested
in Colonial
affairs.

His influ-
ence with
the Govern-
ment.

Under-Sec-
retary
Cooke.

Opinions of
officials.

Report of
the trial of
MacArthur.

* This horse, the gift of the Duke of Northumberland, was brought to the colony by Major Johnston in 1802 in H.M.S. Buffalo.

† Edward Cooke, Under-Secretary in the Colonies and War Department.

1808

1 Oct.

the concurrence of Mr. Watson it will be printed in a few days,* and I trust that I shall be enabled to send you one of the impressions. I am now writing at Mr. Thompson's house at Clapham. With that good man and his family have I been since my arrival; they are to me another father, mother, brother, and sister. I dine to-day with Mr. Henry Brogden, who has been very warm in his expressions for the handsome way in which you advanced the money to Blackman. I must now conclude and will address you again to-morrow, for I have so much to relate to you, my dear father, that my ideas rush upon me too rapidly for expression.

Most affectionate yours,

E. MCARTHUR

EDWARD MACARTHUR TO HIS FATHER. (Macarthur Papers)
Castle-street, Leinster Square,

7 Oct.

My dear Father,

7th October, 1808.

Macarthur
attacked in a
newspaper.

An answer
from his son.

Rev. S.
Marsden.

Since my last of the 1st inst. I have been greatly agitated by the publication of a most virulent paper, prepared, as I am informed, by some of Mrs. Bligh's partizans, of which I transmit a copy, together with a reply which appeared in the same paper as the attack. You will readily perceive, my dear father, that I have been greatly indebted to some persons for this tart rejoinder. Dr. Lindsay wrote the first sketch, which was afterwards molified by Mr. Watson, who advised, however, that no kind of notice should be taken of this outrageous attack. As soon as the answer was framed I sent it down to Mr. McArthur, who, after having made some additions and amendments, returned it, with an introduction of myself, to the editor of the *Morning Chronicle*, who inserted the papers as corrected by Mr. McArthur. A rev'd friend† of yours, who has lately come up from York, is said to have had a hand in this vehement production; indeed he does not scruple to say that the business is at issue between himself and you, and that one or the other must desert the country of New South Wales.

A day or two since I received a note from the Duke of Northumberland, acquainting me that His Grace had received intimation that Colonel Johnston and Mr. McArthur and the rest of the officers were sent for Home immediately. I instantly showed it to Mr. Watson, who went down to Mr. Cook, and asked him if any such measure had been taken. Mr. Cook said there had been nothing resolved on with respect to the affairs in New South Wales. Mr. Watson is no professor, but an actor.

Macarthur's
friends.

Mr. Plummer will be in town in a few days, and Mr. McArthur will also be here. Their advice will be of essential service to me.

* Very few copies appear to have been printed. It is doubtful if the report was ever published for general distribution. At the trial of Lieutenant-Colonel Johnston, Macarthur stated that the book was printed without his authority or knowledge, and was in many instances incorrect.

† He refers, doubtless, to the Rev'd Samuel Marsden.

Mr. Henry Brogden greatly interests himself in your behalf, as well as does Mr. James Brogden. The latter can be of very great service to me from his intimacy with the Duke of Northumberland.

1808

7 Oct.

Sir Walter's* family are as usual very kind, and Sir Walter himself appears to be happy when he hears of things going on favorably to yourself; but he does not at present take an active part, although at first he talked a great deal. Mr. Jacobs is also very attentive. He offered to get a commission for me, but I fear it is out of his power. Mr. Watson and Colonel McDonald both told me that there would be a very great difficulty indeed in obtaining a commission at this time. They think that under the existing state of affairs His Royal Highness would on no consideration give me an ensigncy. They therefore imagine that it would be better for me to purchase, and, if possible, to join some regiment of foot in Spain, for I am told that my age is too great for my admission at Marlow. The next military academy is at Wickham, and before you can be admitted it is necessary that you should have been doing duty with your regiment for two years. Mr. Thompson is looking out for a good regiment, and I trust that by the time the next ships sail I shall be gazetted.

Macarthur's
son's
prospect in
the Army.

From all I can learn I fear you will find yourself necessitated to return to England, for the Government will, I fear, to the very last, support Bligh; but it is of no use, for up he must be given at length. A gentleman told me to-day that although Governor Bligh's conduct was most flagrant, yet the Government would look with great jealousy on his suspension, on account of precedent; but justice must be done, for Major Johnston has a friend who has the power in a certain degree to enforce it.

Government
will support
Bligh.

The two emues arrived safe, and were presented to Lady Castle-reagh, and one swan and a goose lived, which were given to Lady Camden. Mr. Watson desired me to say that their ladyships were desirous of having some bronswing pigeons; but he would not permit me to give the pair I had, because he thought that so many presents at one time would overdo the business. I was enabled to make Mr. Watson a very handsome present in the bird way. I have made several to different people, and have not parted with all yet.

Australian
birds.

The Marquis of Buckingham was out of town when I arrived. I therefore left his letters at His Lordship's residence in Pall Mall, from whence, I presume, they have been forwarded. I have heard from none of Mr. Wentworth's friends. General Grose has been very attentive to me; he seems to be rather disappointed at not hearing from you. As he resides at Croydon, I do not see him very often. Mrs. King, poor woman, is greatly distressed at the loss of the Governor, and the contrast of her present situation with that she has lately possessed makes her very unhappy.

General
Grose.

Mrs. King.

* Probably Sir Walter Farquhar, the celebrated physician, who was an uncle of Walter Davidson.

1808

7 Oct.

Macarthur's
son John.

It will, I am convinced, my dear father, afford you great pleasure to learn that John is resolved to become a councillor, and Dr. Lindsay says if he only applies himself he will make as clever a fellow as any in England. John is aware that many difficulties will impede his progress: but he says that the Temple of Fame is now within his view, and that the strides he intends to make towards it will be so rapid and firm that every obstacle must give way. John is grown tall, and, at the same time, very stout. The energy of his mind is very great, and this displayed almost on every occasion. He is greatly beloved by Mr. Thompson's family, as well as by Dr. Lindsay and the greater part of his acquaintance. I dined with Mr. Wilson a few days since, but as I am not much in the city I do not see him very often. He endeavours to keep neutral, and hears the tales of all parties; but I think his situation is on that account very unpleasant. Mr. Thompson has neither invited Grimes or Mr. Minchen to his house. He says he does not wish to know whose (sic) right, but that it is quite sufficient for him that they are inimical to you. Mr. Becket is constant in his enquiries after you. Mr. T. intends sending him a copy of your trial, that he may make his remarks upon it. Mr. Cook says that the trial is so much waste paper, for that as Colonel Johnston had no authority to convene a Court, a mock trial on the stage would be equally as valid. This is the way in which Mr. C. talks, but altho' he is so warm in support of Bligh, I do not for that reason imagine he thinks him right. Mr. Cook thinks perhaps that it is his duty to support the Governor till all the charges have been proved against him.

The printed
copy of
Macarthur's
trial.

I remain &c.,

E. MCARTHUR.

VISCOUNT CASTLEREAGH TO COLONEL PATERSON.

5 Oct.

Sir,

Downing-street, 8th October, 1808.

Marsden's
property.

The Reverend Mr. Marsden has stated to me his apprehensions lest his property should have received injury during the late commotion in New South Wales; I am therefore to desire that his overseer may receive the same assistance by the allowance of labourers as he was receiving before the commotion took place.

I have, &c.,

CASTLEREAGH.

VISCOUNT CASTLEREAGH TO THE DUKE OF YORK.*

11 Oct.

Sir,

Downing-street, 11th October, 1808.

The New
South Wales
Corps to be
recalled.

The recent conduct of Major Johnstone, aided by that part of the New South Wales Corps under his orders, in taking His Majesty's Governor of New South Wales prisoner in the Government House, and superseding him in his command, rendering it necessary that steps should be taken for restoring subordination

* The Duke of York's reply will be found under date 20th October, 1808, on p. 782, post.

in that settlement, and it appearing impracticable to effect this without the removal of a great part of the Corps therein stationed—and the further appearing that the keeping a particular corps fixed and stationary in that settlement is productive of many evils—I am to acquaint your Royal Highness that it is His Majesty's pleasure that a regiment should proceed without delay to New South Wales, and that the regiment there stationed should be brought back, and that an arrangement should be made for relieving at proper intervals the troops which may be necessary for the protection of the colony.

I am therefore to request your Royal Highness will take this subject into your consideration and receive His Majesty's pleasure for selecting a regiment for this service. Upon the further details of this subject, and of the measures which it may be necessary to take for restoring subordination in the settlements and bringing to trial those whose conduct seems most culpable, I shall take an early occasion of requesting to confer with your Royal Highness.

I have, &c.,

CASTLEREAGH.

EDWARD MACARTHUR TO HIS FATHER. (Macarthur Papers.)

[Extract.]

Castle-street, Leinster Square,

My dear Father,

12th October, 1808.

12 Oct.

I can learn nothing respecting the intentions of Government about New South Wales ; and notwithstanding the despaches that are forwarded to go out in the Sydney Cove, I still think that Ministers have come to no determination. Mr. Watson says they have not, and on the 5th of this month he knew positively that nothing had been done.

The wool, I am sorry to say, that came in the Dart was almost spoiled, although I had taken the precaution to have it put into a tight cask. It is in the hands of Mr. Swain, who says that it will, however, make very good cloth. He will send your little commission by the next ship.

Every one of your friends here seems to imagine that you will be necessitated to come Home ; indeed, Mr. Watson told me that he sincerely wished you would, for he imagined you would do much better here than where you are, and that he should intimate it to you in his letter. The pleasure, my dear father, such an event would afford me would be very great.

Mr. Thompson is now about purchasing me a commission in one of the battallions of the 60th Regt. which is now in Spain. If I can possibly obtain permission to go to Marlow, I certainly will, but if not I intend immediately to join my regiment. There is not the least chance of a commission being given to me, and therefore, the sooner I purchase the better.

* * * * *

1808
12 Oct.
The cargo of the Dart.

- As far as I can learn, the Dart's cargo will sell well ; but it was rather unfortunate that the two ships should have arrived together. The skins are in very good order. However discontented the Hullets may have been, they are now much obliged to you for the concern you have taken on their account.

An ungrateful colony.

I am aware, my dear father, how insipid my letters by this opportunity will be to you, for the accounts they contain are unsatisfactory indeed, and therefore I write with little pleasure. Oh, my father, thou little knowest what concern it gives me in being unable to afford you some little recompence for the cares and anxieties you have undergone for an ungrateful colony.

Your affectionate son,
EDWD. MCARTHUR.

GOVERNMENT AND GENERAL ORDER.

13 Oct.

13th October, 1808.

Discovery of a still.

A STILL together with some wort and a small quantity of spirits, having been found at work in the house of Martin Mason, settler, at the Hawkesbury (who came to this colony as surgeon to a merchant vessel and was for some time employed by Government as an Assistant Surgeon to the colony and a magistrate, but dismissed on account of misconduct), Lieutenant-Governor Foveaux has directed it to be destroyed ; but in consequence of its having been represented to him that the said Martin Mason has a large family in very indigent circumstances, he is pleased to remit the further penalties incurred by this breach of existing Regulations of the colony.

Penalties not to be remitted.

Lest the lenity exercised on this occasion should induce others to disregard the orders of Government, Lieutenant-Governor Foveaux thinks it necessary to assure the public that he will on no account whatever, in any future instance, remit any part of the penalties awarded by the Standing Orders of the colony against those persons in whose possession a still shall be discovered.

Lieutenant-Governor Foveaux has been pleased to grant a free pardon and a further reward of ten pounds sterling to C——T——, a prisoner under sentence of transportation for fourteen years, by whose information the still was found and seized in Martin Mason's house.*

* At page 129 of the *Trial of Lieutenant-Colonel Johnston*, Mason explained the circumstances under which this still was found on his premises. He denied that it was found at work. He stated that the still was only a small one, made out of an old tin kettle. No attempt had been made to conceal it, as it was only used by him for professional purposes (he was practising as a surgeon), and it was known to be in his possession by both Arndell, the resident magistrate, and the chief constable of the district, to both of whom he had reported it. It was used openly in the kitchen. Mason's whole evidence went to show that he had been subjected to persecution in this matter because he had openly sympathised with Bligh and had repeatedly refused to sign the address to Johnston of 30th January, 1808, ante, p. 458. He denied that he had ever been dismissed on account of misconduct, or for any other cause, either from the magistracy or from any situation under Government. His statements evidently impressed the members of the Court favourably, and no attempt was made on behalf of the defence to rebut or impugn them.

REV. S. MARSDEN TO UNDER-SECRETARY COOKE.

1808

Sir,

16th October, 1808.

16 Oct.

Having received no pay since my departure from Port Jackson to the present time, permit me to solicit the favour of an order to Mr. Chinnery that I may receive the sum that may be due to me. I trust my Lord Castlereagh's kind consideration will allow me my full salary during my absence. The expence of my passage was very great, as neither my wife, children, nor female servant received any provisions from the ship during a nine months' voyage. Since my arrival in England I have been constantly employed in endeavouring to get suitable clergymen and schoolmasters for the colony, which is an object of the first importance for its future welfare. The situation of a clergyman in New South Wales is far from being a common one, and the difficulty in obtaining men equal to that duty and willing to undertake it has been very great. On this service I have travelled thro' many of the counties of England, some of them at the distance of more than two hundred miles from London. My travelling expences have unavoidably been heavy. These have also been increased by my family residing in one place and me in another.

Marsden's stipend.

Expenses incurred by him in England.

I trust the above short statement will be fully sufficient to establish the justness of my claim in my Lord Castlereagh's judgment, and to induce His Lordship to favour my request with his Lordship's approbation.

Permit me further to observe that there is a moiety of the senior chaplain's salary due to me, from the 5th of April, 1802, to the 22nd of January, 1803, amounting to the sum of £72. On reference to Mr. Chinnery's accounts, it will appear that the sum of £72 remains still unpaid.

Arrears of salary.

I have, &c.,

SAMUEL MARSDEN.

MRS. KING TO VISCOUNT CASTLEREAGH.

My Lord,

Lower Tooting, 18th October, 1808.

18 Oct.

Allow me most earnestly to solicit your Lordships attention to my memorial,* presented in form to your Lordship as the widow of the late Philip Gidley King, Governor of New South Wales. The object, however, of this letter, is more particularly to enclose to your Lordship a letter from my husband, written in August last, when he had no idea that his time in this world would be so short. This letter will, I trust, prove to your Lordship in the most forcible terms the necessity which impels me to solicit your Lordship's humanity in favour of the widow and orphan children of a faithful servant of the public.

King's last letter to the Government.

I am, &c.,

ANNA JOSEPHA KING.

* This was a copy of King's memorial, ante, p. 641.

1808

[Enclosure.]

PHILIP GIDLEY KING TO VISCOUNT CASTLEREAGH*.

18 Oct.

My Lord,

Lower Tooting, Surry, 1808.

King's
memorial.

Urged by necessity, I again take the liberty of addressing your Lordship on a subject which has been honored with your Lordship's notice in recommending the prayer of my memorial to your Lordship, dated *May 21st last*,† to the Chancellor of the Exchequer, and lest any accident should have happened to that memorial by its being mislaid, I respectfully take the liberty of enclosing duplicate thereof.

His services
and priva-
tions.

Sensible how much your Lordship's time and thoughts must be engaged in the welfare of the kingdom at this important period, I shall not intrude any other recital of my reasons for soliciting a provision and my real necessities than by respectfully observing that every inconvenience and labour of body and mind, joined to the privation, anxieties, and responsibilities, attendant on a service of twenty years; in the part I have borne in forming and establishing His Majesties colonies in the South Seas, in doing which (notwithstanding the difficulties, obstacles, and disappointments I have met with), yet I have been so fortunate as to obtain the approbation of my superiors, and the esteem of the worthy part of my inferiors. Being returned with the loss of health, which prevents me seeking my employment in the active line of my profession, the advantages of which has been neglected whilst I endeavoured to make my services useful in the public situations I had had the honor to hold under the auspices of your Lordship and your noble predecessors in office, since the year 1788, and finding myself at a advanced period of life with a large family destitute of any permanent means of support other ways than by my half pay in the Navy and the interest arising from £2,000, which I must considerably reduce for the present necessities of my family, all which circumstances I humbly hope will plead some excuse for this repetition, which I respectfully hope your Lordship may attribute more to my urgent necessities and the suspense I am in than to any seeming importunity.

Approval of
his
superiors.His broken
health and
small
savings.

I have, &c.,

PHILIP GIDLEY KING,
Late Gov'r of New South Wales.

THE DUKE OF YORK TO VISCOUNT CASTLEREAGH.

20 Oct.

My Lord,

Horse Guards, 20th October, 1808.

The recall of
the New
South Wales
Corps.

I have to acknowledge your Lordship's letter of the 11th instant‡ upon the subject of the recent conduct of Major Johnstone, of the New South Wales Corps, in having taken prisoner Governor Bligh in the Government House, and representing that the keeping

* The original, in the handwriting of ex-Governor King, is still in existence in the Record Office, London.

† See this memorial, dated 23rd May, 1808, ante, p. C41.

‡ Ante, p. 778.

lar corps fixed and stationary in that settlement is pro-
 of many evils, and conveying to me His Majesty's pleasure
 giment should proceed without delay to New South Wales,
 corps now stationed there be brought back; and I have to
 your Lordship that I entirely concur with you in the
 cy of this arrangement, and shall lose no time in sub-
 to His Majesty that a regiment of infantry should be
 upon this duty.

1808

20 Oct.

, at the same time, to state to your Lordship that the
 which at this moment is the most proper for that service
 'd now in Scotland, but that it has only one battalion,
 he distance it is about to be stationed great inconvenience
 ise in the recruiting and keeping it complete. I have,
 , to recommend to your Lordship that a second battalion
 e added to this regiment upon the same footing as has
 ly granted to the 11th and 84th (each of which at this
 exceed 800 men). I should, at the same time, submit to
 esty that the New South Wales Corps be in future styled
 d regiment.

The 73rd
Regiment.

rn to your Lordship all the papers that you had the good-
 ermit me to peruse upon this case.

I am, &c.,

FREDERICK.

NANT-COLONEL FOVEAUX TO UNDER-SECRETARY COOKE.*

[Extracts.]

Sir, Sydney, Port Jackson, 21st October, 1808.

21 Oct.

the departure of the Rose, Governor Bligh, taking advan-
 he permission I gave him to see the officers of the Porpoise,
 the command of her, and prevented her and the Colonial
 rom rendering any service whatever to the colony, and
 ry step in his power to impede and embarrass the business
 ublic, in consequence of which I was under the disagree-
 absolute necessity of forbidding (on the 17th of last month)
 her intercourse between him and the officers of the Por-
 ice which event that vessel, as well as the Lady Nelson,
 restored to the service of the colony, for which alone they
 oned here.

Bligh
assumes
command of
the Por-
poise.

wer to a letter which I wrote on the 14th of last month
 nor Bligh, requesting to know when he meant to proceed
 nd, as he stated to me (on the 3'd of August last) he
 to do without delay, he informed me that he had no
 whatever of leaving the colony. This I always suspected,
 ed to you in my last letter.

He refuses
to leave the
colony.

ave received authentic information that he was exerting
 ans in his power to inflame the minds of the settlers by
 emissaries amongst them, who promised in his name that

In my letter A* to the Secretary of State, by the Rose, I, by mistake, mentioned one shilling per pound as the price I intended to offer for meat to be received into the stores. The price offer'd has been nine pence for all kinds of animal food (without the heads or feet), and a quantity equal to my expectation has been already received! 1808
21 Oct.
The price of meat.

The dependent settlements are much distress'd for want of convicts, and we have none to send them, as we can with much difficulty find a sufficient number of hands to carry on the most essential of the public work. More convicts wanted.

I have, &c.,

J. FOVEAUX.

LIEUT.-GOVERNOR COLLINS TO LIEUT.-COLONEL FOVEAUX.

[Extract.]

Hobart Town, Van Dieman's Land,

Sir,

23rd October, 1808.

23 Oct.

I have now to inform you that, on the 2nd instant, the City of Edinburgh arrived from Norfolk Island, having on board 242† persons belonging to that settlement. They arrived in some distress with respect to dry provisions, their passage hither having been longer than they expected at their sailing. Several of the settlers complaining—some, that their property had been plundered on the voyage; others, that it was not forthcoming—I directed an investigation of their claims to be entered into by a Bench of Magistrates, the result of which is herewith inclosed.‡ Settlers from Norfolk Island.

I have, &c.,

DAVID COLLINS.

EDWARD MACARTHUR TO HIS FATHER. (Macarthur Papers.)

Castle-street, Leinster Square,

My dear Father,

25th October, 1808.

25 Oct.

Since my last, I have the pleasure to inform you I have seen Mr. Hugh Elliott, who spoke in the highest terms imaginable of you, and who, notwithstanding his appointment of Governor of Barbadoes§, is so much enraptured (sic) with our colony that he appears greatly inclined to abandon the design of taking the command of the one for the hopes of acquiring the government of the other. I have seen him but once, and then for a short time; but it was sufficiently long for me to see how superior a man he is, and how very different from his, I trust, predecessors in the government of New South Wales. An aspirant for the Governorship of New South Wales.

* Ante, p. 732.

† According to the tabular statement dated 1st October, 1808, ante, p. 773, the total number of persons landed by the City of Edinburgh was 226.

‡ The Bench, composed of the Rev. R. Knopwood, G. P. Harris, and Lieutenant Edward Lord, reported that, although it was evident some of the settlers had lost a great deal of property, they were unable to fix the blame upon any individual.

§ Hugh Elliott was appointed Governor of the Barbadoes 10th April, 1807, and Governor of the Leeward Islands 8th October, 1808.

1808

25 Oct.

The report
of
Macarthur's
trial.

Nothing has transpired with respect to the determination of Ministers on the subject of Governor Bligh's arrest. The trial is printed, but with no narration prefixed to it; for Mr. Watson strenuously insisted that, as no person was more capable of undertaking his own justification than yourself, it would be imprudent to make a publication in which some facts might be too much urged, while others were not sufficiently preferred. Mr. Plummer is, however, preparing a statement of all the unjust and arbitrary things committed by Governor Bligh.

Colonel
Tench.

Colonel Tench is in town; he is greatly interested in all that has passed. I put the trial into his hands, and I feel assured that it will produce on his mind the same effect that it does on all those, and they are many, that have read it—a firm belief in the justness of your cause, a perfect conviction of your honor and integrity, and a lasting impression of the strength of your mind, and of the soundness of your judgment. Such being the case, I shall feel no hesitation in giving Mr. Elliott a perusal of that document.

Edward
Macarthur's
regiment.

As Mr. Watson particularly desired that I would keep as much as possible in the background, and as I see no probability of the events in which I feel so much concern being discussed for a long time, I am determined, rather than live at a great expense here, to join my regiment in Spain, and where I am inspired with the hopes of gain.

I am &c.,

EDWARD MCARTHUR

LIEUTENANT-COLONEL FOVEAUX TO COLONEL PATERSON.

27 Oct.

Sir,

Sydney, Port Jackson, 27th October, 1808.

The
Porpoise
sent for
Paterson.

I have to acknowledge the receipt of your letter* of 29th of Sept'r by the Estramina, and to acquaint you that, in compliance with your desire, I immediately applied to Capt'n Kent, commander of His Majesty's ship Porpoise, to proceed to Port Dalrymple, for the purpose of conveying you from thence to headquarters, who willingly acquiesced in the request and lost no time in getting his ship ready for that service.

Bligh will
not go
Home.

The annexed copy of my correspondence† with Capt'n Bligh will apprise you of his intention of remaining in this colony untill His Majesty's pleasure shall be known, and of his determination not to relinquish the Government House at Sydney, altho' required by me, in obedience to your instructions, to remove to Paramatta.

Paterson's
letter to
Bligh.

You will also learn that he denies having received any letter from you, as intimated to me in your despatch; but, that he may be informed of your sentiments respecting his delay in this country, and of your desire that he may leave the Government House, for your accommodation, I have sent him the paper which

* Ante, p. 764.

† See the correspondence between Bligh and Foveaux, post, pp. 781 & 89.

you enclosed me, purporting to be a copy of a letter from you to him, dated the 29th of Sept'r,* the original of which, you gave me to understand, was conveyed to him by the Estramina. 1808 27 Oct.

* * * * *

As the quarters occupied by me in the barracks since I have had the command of the colony are in an excellent state of repair, and have received considerable additions and improvements since you resided in them, and, next to Government House, afford the best accommodations that can be procured for you, I shall have them ready for your reception; and shall myself, previous to your arrival, make arrangements for removing to Parramatta, or wherever else I can find a suitable habitation.†

Quarters for Paterson at Sydney.

I have, &c.,
J. FOVEAUX.

GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.

Government House, Sydney,

My Lord, New South Wales, 28th October, 1808. 28 Oct.

1st. I have now the honor of writing to your Lordship, in continuation of my despatches by the Rose, Richard Brooks master, in September last,‡ since which I have been annoyed by letters or threats, although still in confinement, and have no other expectation until I receive relief from England, and am able to reassume my power and authority, than a repetition of such insults. The insolence, wickedness, and duplicity of the principal rebels exceed all description. The people see, with great concern, how much the colony is injured, Government plundered, and beggary making hasty strides to their utter ruin, by being deprived of their common advantages, and a settled plan of prosecutions, which deprive those who are in debt of all they have. The Benches of Magistrates and Courts of Justice are mockeries of what they represent, and since my despatch of the 30th of June five persons have suffered death. Nevertheless the people are obliged to submit under the most afflicting considerations. They have no money in circulation, all is doubt, the barter of spirits is going on, and money is realized in the hands of the principal rebels. Such is their art, impudence, and importunity, that they constrain some persons by threats and promises to purchase the property from them which they have monopolized from shipping; others they allure to get into their debt by promises of no hasty payment being required. If they show any reluctance, it [is] done away by assurances of profit which they will acquire, and if that does not effect the purpose, they are warned of such displeasure as induces them to submit to all their terms, and debtor and creditor is established. This being done, the laws of necessity are pleaded for

Bligh complains of personal insults,

and derangement of public affairs.

Administration of Justice.

Huckstering extraordinary.

* Ante, p. 764.

† See enclosure No. 40, to Bligh's letter of 28th October, 1808, post, p. 791.

‡ See the despatch of 31st August, 1808, ante, p. 709.

- 1808** settling accounts. Capiases are issued, and executions follow, and
23 Oct. the unfortunate debtor is obliged to sell all he has or go to gaol. To avoid the latter all is brought to public auction, when it is so contrived that few bidders dare appear, and the whole falls into the hands of those merciless creditors and rebels at half its price, and frequently much less. In these transactions, during the present state of things, a remarkable character, beside the creditor, is conspicuous. This is the Provost-Marshal,* appointed after the rebellion, to which he is devoted, and whose unprincipled mind divests him of all charity. Whenever the day of reckoning comes, such a scene of crimes of some of the leading persons will be developed as will be truly astonishing. It will require great foresight and precaution to prevent the people from committing the most violent acts of resentment.
- The Provost-Marshal.**
- The evacuation of Norfolk Island.** 2nd. Concerning the poor settlers of Norfolk Island, I am not well informed, but report states them to be discontented. The plan of Major Johnston and McArthur of employing the City of Edinburgh to carry them to the Derwent was not approved of. She sailed from hence as far back as the 26th of May, left Norfolk Island on the 9th of September, leaving only about two hundred persons, including the military, on the Island, since which we have heard nothing of her.† This was the infamous ship which sold and distributed her liquors to McArthur and his emissaries at the time of the insurrection.
- The harvest.** 3rd. The harvest here, I am informed has a tolerably good appearance, but probably will not be very sufficient for next year's consumption, because a less quantity of seed was put into the ground than was last year.
- Expenses of Johnston's Government.** 4th. It is said that the present rulers pride themselves much in not drawing bills on the Treasury, when the fact is no person will receive them; but this, after all, will be found very calamitous to the state, and of considerable expence beyond that which would have been absolutely necessary under regular government; also, such a waste of cattle has taken place as will be very detrimental to agriculture, besides weakening the power of the Governor, to whom settlers look for advantages, and are cheered in their pursuits by his bounty and rewards.
- Correspondence between Bligh and Foveaux.** 5th. My last despatches to your Lordship were scarcely made up when Lieutenant-Colonel Foveaux began a fresh correspondence in order to place me in some farther difficulty, at the whole of which I have felt the utmost indignation, and I inclose it, in continuation of his former letters.‡ It behoved me to use such methods as to discover what their real intentions were, and they

* Nicholas Bayly.

† She arrived at the Derwent on the 2nd October.

‡ See enclosures Nos. 1 to 29 to Bligh's letter to Castlereagh of 31st August, ante, p. 712, and enclosures in continuation numbered 30 to 33 sent with his despatch of 10th September, 1808, ante, p. 748. The enclosures to this despatch (numbered 34 to 44), post, pp. 791 to 795, concluded the series.

appear to be chiefly aimed at inducing me to go Home as a prisoner at my own request, that it should not appear they were turning me out of the colony. The next object was to get me away before any relief could arrive from England, whereby they flattered themselves they would succeed the better in their cause; and lastly, if I took the Porpoise, they would have an unprecedented example of a flag officer confined in his ship where his flag was flying. Having now failed to circumvent me, they again deprived me of any communication with the ship, and Captain Kent, her Acting Commander, has consented to it, and is intimate with Lieutenant-Colonel Foveaux, whose letter of the 17th of September (No. 38*) concludes with unwarrantable threats, which I treated with the contempt they deserved.

1808

23 Oct.

Bligh refuses to go Home.

6th. Your Lordship will please to recollect I informed you of the *Estramina* being sent to Port Dalrymple to bring up Lieutenant-Governor Paterson. She returned on the 12th instant without him, and I heard no more until the 18th, when Lieutenant-Colonel Foveaux wrote to me (No. 39†) stating that Lieutenant-Governor Paterson had written to me, that unless I proceeded to England I must go to Parramatta House that he might reside here to carry on the affairs of the colony; and Lieutenant-Colonel Foveaux adds that he had written to Captain Kent to proceed to Port Dalrymple to bring up the Lieutenant-Governor, and that I must make my arrangements as soon as possible. To this very seditious request I replied by No. 40‡ that I would not quit my house or premises—they were mine until His Majesty should be pleased to remove me from them, being his representative, and likewise a British flag officer, whose flag it was at the peril of any man to remove out of my sight; that I had received no letter from Lieutenant-Governor Paterson.

Paterson sent for.

Bligh refuses to quit Government House.

7th. On the next day I received No. 41, with copies of two letters§ which had been sent to Lieutenant-Colonel Foveaux by Lieutenant-Governor Paterson, who had intimated to him that the original of that dated the 29th of Sept'r had been sent to me by the *Estramina*, but which appears not to have been so, unless it has been intercepted ||; in that case this artifice has deprived me of it. I have made no reply to such a curious compound, but I think that Lieutenant-Governor Paterson has artfully been drawn from the line of his duty, and prevented from doing his utmost to bring his Corps to obedience. In this extraordinary copy of his letter, it appears that he has received intimation of a determination to oppose him if he did not side with them in their measures. Some very threatening letter has therefore been sent to convince him of this, and it is conformable to the information I have given in

Correspondence between Bligh and Paterson.

* Post, p. 792.

† Post, p. 793.

‡ Post, p. 794.

§ The letters referred to were one of 8th August, 1808, from Bligh to Paterson, ante, p. 701, and Paterson's reply, 29th September, 1808, ante, p. 763.

|| It was subsequently discovered that it had been sent to England in error.

1808

28 Oct.

Paterson's
delay in
taking
charge.

paragraph 52 of my despatch dated the 30th of June.* The directions for removing me from Government House ; his advice to me to return Home ; his diffidence in describing if he erred that it would not be through design ; and, after all, taking the side of the Corps without seeing me, is what he must account for. Since the 26th of January last, six opportunities had offered direct from Port Dalrymple, by either of which he might have come here—viz't, the Speedwell schooner, which carried him intelligence of the rebellion a few days after my confinement, from the rebels themselves ; the brig Harrington, which touched there on her way from India ; the brig Perseverance, also which returned by that port on her way hither from China ; the Favorite, in her way from India ; His Majesty's ship Porpoise, in May last, which went to him for that purpose ; and the Estramina schooner.

The Porpoise
sails.

Bligh as
commodore
ignored by
Kent,

8th. On the 25th instant, I received a letter (No. 42†) from Lieutenant-Colonel Foveaux informing me that, at Lieutenant-Governor Paterson's requisition, His Majesty's ship Porpoise was to sail for Port Dalrymple on Sunday next, and that, if I wished to make any communication to that officer, he would transmit it. I replied to the Lieutenant-Colonel that I was surprised at Lieutenant-Governor Paterson's requisition, as he knew me to be Commodore on this station, and was equally astonished at the compliance of Captain Kent ; and that, from my imprisonment, and my communication being stopt with him, I had to request he would inform him that it was my orders he did not leave the Cove. To this Lieutenant-Colonel Foveaux replied (No. 44‡) that the Porpoise would sail as he had already informed me.

and his ship
taken from
him.

9th. Thus, again, His Majesty's ship is taken from me to bring up a Lieutenant-Governor who openly has avowed his taking the side of his rebellious and mutinous Corps, in which, also, her Acting Commander has joined, and must of consequence take upon himself to strike my broad pendant, in defiance of my orders and the rules of our service.§ In the last voyage she was nearly lost, and I have my fears in this. This wanton insult is the greater as there is the Lady Nelson and the Estramina—Colonial schooner—now lying in the cove.

Relief ex-
pected from
England.

10th. About this time I allow myself to imagine that your Lordship will have been informed of all that has been done here. A ship called the Speke|| I soon expect from England, which probably will be the last before relief arrives. Whatever despatches are sent by her I shall be deprived of, as the rebels are peculiarly solicitous about answers to my despatches sent by the

* See paragraph 52 of Bligh's despatch of 30th April, 1808, ante, p. 621.

† Post, p. 794.

‡ Post, p. 795.

§ This was one of the charges on which Lieutenant Kent was Court-Martialled on his return to England at the instance of Captain Bligh. A full report of the Court-Martial (held on board the Gladiator at Plymouth, 8-11th January, 1811) will be found in Marshall's *Naval Biography*, vol iv, part i, pp. 162 to 195. Kent was honorably acquitted on all of the charges.

|| The Speke arrived at Sydney on 15th November, 1808.

Duke of Portland. Your Lordship, I am confident, will judge of what my feelings will be to know those despatches get into their hands. 1808
28 Oct.

11th. I send these despatches by Mr. Charles Cockerill, in the ship Albion. I have no idea when another opportunity may occur by which I can again have the honor of writing to your Lordship. It will probably be a long time, as there is no ship on the fisheries which is expected to sail for eight or ten months. Despatch sent by Albion.

I have, &c.,
W^M BLIGH.

[Enclosure No. 34.*]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, Sydney, 14th September, 1808.

The very large demands which have been made upon the public stores for the use of His Majesty's ship Porpoise, make me anxious to be informed when she may be expected to be ready for sea, and when ready whether it be your intention to proceed to England in her without delay, as signified by you in your letter to me of the 3rd of August last. Will Bligh sail in the Porpoise?

I have, &c.,
J. FOVEAUX.

[Enclosure No. 35.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

Sir, Government House, Sydney, 14th September, 1808.

As I have received letters from you dated the 4th and 6th of August,† which differ in their purport with mine of the 3rd, your letter of to-day does not allow me to comprehend what you mean about my return to England. It is, therefore, necessary for me to know whether you mean that I am to enter into any conditions. He asks for an explanation.

I am, &c.
W^M BLIGH.

[Enclosure No. 36.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, Sydney, 15th September, 1808.

When you represented to me on my arrival in the colony that you were prevented holding any communication with the officers of His Majesty's ship Porpoise, I was induced to remove the restriction you complained of, hoping that by your being allowed to see her acting commander it might facilitate her repairs, and thereby afford you the means of sooner returning to England. Bligh permitted to communicate with officers of Porpoise.

But I never entertained the slightest idea that you would, under existing circumstances, attempt to assume any command in He attempts to assume command.

* The numerical sequence adopted by Bligh in regard to his letters with Foveaux has been preserved. The letters numbered 1 to 29 will be found on pp. 712 to 721, ante, and those from 30 to 33, on pp. 748 to 749, ante.

† Ante, p. 713.

1808

28 Oct.

Foveaux's
policy.Bligh must
go as
prisoner.Bligh will
remain in
the colony.Bligh's in-
consistency
and opposi-
tion.

this colony. In this, however, I have disappointed, and instead of finding the Porpoise hastened, the difficulties facing her have been increased by the step her acting commander from complying

In this state it is impossible I can longer without disregard to the welfare and therefore I feel myself obliged to to prepare yourself to embark in the be got ready, and to return in her im forbear from attempting to exercise orders or otherwise whilst you remain

If you shall determine to proceed it it does not appear to me that I can pr can be more binding on you than th given (and from which you have ne will consider yourself under arrest u shall be known.

Should that pledge be forgotten or v from hence, you alone will be responsi

[Enclosure No.

REPLY TO AD

Sir, Government House, Sydne

In reply to your letter of yest that it is my intention to remain in th pleasure shall be known. His Majesty Kent to command her; and if you with him, I in my present situation c

[Enclosure No.

LIEUTENANT-COLONEL FOVEAUX

Sir, Headquarters, Sydne

The intention you expressed y colony until His Majesty's pleasure be contained in your letter of the 3rd of A orders to get the Porpoise ready to p and family without delay, are so co surprising, that (when I consider the ruptions and confusion you have caus have been permitted to communicate not admit a doubt but it is your desig power to impede His Majesty's servic

* See Foveaux's correspondence with Kent, ante

the colony, by weakening the confidence of people in inferior situations as to the power of the present Government to protect them. 1808
28 Oct.

For these reasons, should circumstances prevent Lieutenant-Governor Paterson from relieving me in the command, I feel it will be my duty to take the first opportunity which shall present of sending you to England. Foveaux will send him Home.

As I am satisfied that no other consequences can possibly result from you being permitted to have further intercourse with the officers of His Majesty's ship Porpoise than an increase of difficulties and the retardment of the King's service on points materially effecting the order and welfare of this colony, I must desire that you will in future forbear from issuing any orders to, and from any kind of official communication with, Captain Kent, or any other officer or person belonging to His Majesty's ship Porpoise. Communications with naval officers must cease.

Your compliance with this will relieve me from the unpleasant task of removing you from Government House, or of imposing additional restraint on your person.

I have, &c.,

J. FOVEAUX.

[Enclosure No. 39.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, Sydney, 18th October, 1808.

By Lieutenant-Governor Paterson's letter to me of the 29th of last month,* received by the Estramina, he acquainted me that he has written to you to inform you "that unless you proceed to England it will be necessary that you should remove to the Government House at Parramatta, that the Government House at Sydney may be ready for his reception to enable him to carry on the very anxious duties of the offices become incumbent on him by the interregnum that has been occasioned," and he desires that should you not have left the colony that I should cause proper steps to be taken for your removal by the period I may have reason to expect his arrival. Paterson will want Government House.

As I have applied to Captain Kent for His Majesty's ship Porpoise to proceed immediately to Port Dalrymple for the purpose of conveying Lieutenant-Governor Paterson to headquarters, I have to request (in compliance to his desire) that you will make arrangements, with as little delay as possible, for the removal of yourself and family to the Government House at Parramatta, unless it be your intention to leave the colony previous to the time that Lieutenant-Governor Paterson's arrival may be looked for. Bligh requested to remove to Parramatta.

Should it be your determination to go to Parramatta, I shall give directions for every assistance being rendered you in the removal of your establishment, and for having the house and garden prepared for your reception.

I have, &c.,

J. FOVEAUX.

* Ante, p. 764.

1808

[Enclosure No. 40.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

28 Oct.

Sir, Government House, Sydney, 18th October, 1808.

Bligh refuses
to quit Go-
vernment
House.

I have just received your letter of to-day, in answer to which I inform you that I will not quit my house or premises. They are mine until His Majesty is pleased to remove me from them, being his representative, and likewise a British flag officer, whose flag it is at the peril of any man to remove out of my sight.*

I have not received any letter from Lieutenant-Governor Paterson.

I am, &c.,
W^m BLIGH.

[Enclosure No. 41.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, Sydney, 19th October, 1808.

Letters from
Paterson.

Enclosed I beg leave to enclose you copies of two letters† transmitted to me by Lieut.-Governor Paterson, who intimated to me that the original of that dated the 29th of September was conveyed to you by the Estramina.

I have, &c.,
J. FOVEAUX.

[Enclosure No. 42.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, 25th October, 1808.

The Por-
poise to sail
for Port
Dalrymple.

I beg leave to acquaint you that, in compliance with Lieut.-Governor Paterson's requisition, His Majesty's ship Porpoise will sail on Sunday next for Port Dalrymple.

Should you wish to make any communication to that officer, I shall transmit such letters as you may think proper to send.

I have, &c.,
J. FOVEAUX.

[Enclosure No. 43.]

GOVERNOR BLIGH TO LIEUTENANT-COLONEL FOVEAUX.

Sir, Government House, Sydney, 25th October, 1808.

Bligh refuses
to resign his
naval com-
mand.

I am much surprised to find that Lieutenant-Governor Paterson has made the requisition mentioned in your letter of this morning, as he knew me to be Commodore on this station, and equally astonished at the compliance of Captain Kent. From my imprisonment and my communication being stopt with him, I have to request you will inform him that it is my orders that he does not leave this cove.

I am, &c.,
W^m BLIGH.

* The difficulty was surmounted by Foveaux removing to Parramatta, and Paterson occupying his barrack at Sydney.

† These were the letters, Bligh to Paterson, 8th August, 1808, and Paterson's reply, 29th September, 1808, ante, pp. 701 and 763.

[Enclosure No. 44.]

1808

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, 26th October, 1808. 28 Oct.

In answer to your letter of yesterday, I have to acquaint you that the Porpoise will sail for Port Dalrymple on Sunday next (as I have already informed you) for the purpose of conveying Lieut.-Governor Paterson to headquarters. I have, &c.,

J. FOVEAUX.

GEORGE CALEY TO SIR JOSEPH BANKS. (Banks Papers.)

[Extracts.]

Sir, Parramatta, 28th October, 1808.

* * * * *

Hearing that Gov'r Bligh would shortly be sent to England, I thought it a favourable opportunity for to return with him. I got a gentleman to introduce me to Major Johnston (never having spoken to him before nor since) purposely to know how I stood since a change had taken place, and to procure some wood for packing-cases. He gave me to understand that everything respecting me was to remain as usual, and immediately gave orders for the wood I wanted (but which I never received, but not from any blame to be attached to him). As Gov'r King told me that he should leave the papers concerning me with Gov'r Bligh, I pointed this out to him (Major Johnston); but I perceived he was unacquainted with them, yet seemed satisfied with what I had said. My next business was to see Gov'r Bligh concerning what I had in view. Meeting him in the hall, expressing as he went into the parlor, "You see how they have served me; they might as well have done the same by the King of England." Having shut the door, he desired me to sit down in a corner of the room, where I perceived the sentinels could not see me. He began his discourse (which was mostly whispered) by wishing me to write to you. Not knowing whether he was fully acquainted with my disposition, I answered I was no partisan in the present business, nor a servile slave to any man, and that I stood independent. He replied, "I conceive myself independent also"; but said he was afraid to write, that he was kept in ignorance, that he did not know what they meant to do with him, and lamentingly wished that he was now with Sir Joseph Banks. I told him that as for writing by the present ships (one entirely under McArthur's direction, and the captain of the other, I do not doubt, greatly influenced by him) I conceived of but little use, for I was strongly persuaded in my own mind the letters would be intercepted, and gave him my opinion respecting the character of McArthur, and what would be the consequence of what had so rashly been committed; that though he was then labouring under oppression, I considered him the Governor in full respect as when he was in possession of the authority.

The Porpoise will sail.

Caley's relations with Johnston.

Caley interviews Governor Bligh.

Bligh asks him to write to Banks.

Macarthur's power.

1808

28 Oct.

Bligh's
defection.Caley's duty
to report to
to Banks.He informs
Bligh,who does
not wish
him to risk
detection.Lieutenant-
Governor
Paterson.Suffering
from ill-
health.

Seeing the depression of Gov'r Bligh's spirits, which proceeded not altogether I suspected from the outrage that had been committed, but also from the recent death of his son-in-law (Mr. Putland), by being in deep mourning, and together with what he had said to me, made such an impression upon my mind as totally to engross my whole thoughts during my return home. I, that had hitherto thought of being silent, or interfering as little as I could possibly help, was now too well convinced from my own connection that something more might be demanded from me. When His Majesty's representative wished me to write to you by being deprived of the means of doing it himself, it became my duty to use my best endeavours to accomplish the design, for it was evident that Government stood in need of the information. Private opinions or animosities, proceeding from however just causes, ought always to give way to the public welfare.

Having weighed the matter well, and come to a resolution, I shortly waited upon Gov'r Bligh again (this being the last time of seeing him) to inform him that I would write to you, let the consequence be what it would. A friend of his happening to call upon him at the moment, and interested in the cause, said that it would be dangerous, for he was fully of opinion that whatever was written would be intercepted. Gov'r Bligh then said that he should be very sorry for any person to come to any harm through attempting to serve him, and on that account it was agreed it was better to be silent than to write. However, what I had before imbibed I could not erase from my mind, and resolved to write merely on my account; but not being thoroughly acquainted when a ship would sail, I lost the first opportunity by the ship (Dart) having sailed prior to my going again to Sydney, and I was obliged to leave my letter (which bore date April 14, 1808) to be forwarded by another (Brothers), which sailed shortly after. It was my intention to have forwarded a letter by both ships.

At the time of writing the above letter it was said that Col Paterson, on hearing what had been done, was very much displeased, and had given orders for the Porpoise to proceed to Port Dalrymple for to bring him up to Port Jackson, and which sailed shortly after. The return of the Porpoise was awaited with anxiety by the inhabitants in general, but on her arrival, to the great surprise, Co'l Paterson had declined coming up. I had a letter from him, and he says he has for some time laboured under a rheumatic complaint in his head, which, if he did not get the better of in the course of the winter, he should think of taking an early opportunity of returning to England; but from various causes he had declined taking a passage to Port Jackson in the Porpoise, and he thought his presence would have but little effect otherwise than increasing his present complaint. The public being thus disappointed in their expectation, Co'l Paterson soon became the

subject of censure, and I myself began to be of opinion that if **Lieu't-Co'l Foveaux** (who was daily looked for with the troops) arrived, and Gov'r Bligh was reinstated in the command, Co'l Paterson would be seriously injured, and I resolved, if possible, to inform him of the danger. However, on Foveaux's arrival, fortunately for Co'l Paterson, he acted otherwise, and ere long a vessel was dispatched to Port Dalrymple, but as before returned without Co'l Paterson. The account in circulation for his not coming now was the vessel not allowing the necessary accommodations—probably for his family; and the Porpoise was again to proceed for him—which at the present moment is upon the point of sailing. But though the general talk had been before, first, that Co'l Paterson had disapproved of what had been done; secondly, that he would have nothing to do with it; and now, that he had taken part with the ruling party, and had actually given orders for Gov'r Bligh to quit the Government House, at Sydney, and to go to Parramatta and hold himself in readiness for his voyage (to England, I suppose). If this is a fact, I do not know what to say in his behalf. This is certain, that a Mr. Davidson* went to Port Dalrymple, and being a tool of McArthur's, no doubt but with the intent of bringing him over to their measures. Whether it is a fact that Co'l Paterson has suffered himself to be thus imposed upon I cannot say, but it wears an unfavourable aspect by my not receiving any letters; but probably my letters to him were intercepted. I hope it is not true.

1808

28 Oct

Colonel Foveaux.

Paterson's attitude a mystery.

Walter Davidson.

I now come to speak about the conduct of Lieu't-Gov'r Foveaux—as he styles himself. I should not have doubted his rank had not I been told that he had only a letter to show that in case of absence of the Lieu't-Gov'r he was authorized to act in his room; but the manner he is now exercising his authority, in the room of His Exc'y, is quite another thing. When he published the proclamation on his arrival, I could plainly see how he meant to act. It gave a very indifferent specimen of his good qualifications, and in my opinion will support a very poor argument—if it does not tend to criminate him. In the first General Order he published (bearing the same date as the proclamation, viz., 30th July, 1808) he sanctioned the usurper's cause by ordering the Civil Court to assemble, as per adjournment, and, in fact, in my sight is a usurper himself. I have only heard of his having visited Gov'r Bligh but once, and I believe Gov'r Bligh is kept as close a prisoner as he was previous to Foveaux's arrival. Various have been the accounts how he meant to proceed. At one time nothing was to be issued from the public stores of the newly-imported investments; that he would do nothing until he heard from Co'l Paterson, or he arrived, &c.

Colonel Foveaux.

His first proclamation.

* Note by Caley.—“It has been given out that this young man is a nephew of Sir Walter Farquhar, and of considerable fortune. He came into the colony with McArthur about three years ago, and has an extensive grant of land. I think his friends will have to lament that they have entrusted him to the tutorage of such a despicable fellow as McArthur. Though he is old enough to think for himself, yet I think he is to be pitied.”

1808

28 Oct.

Foveaux
grants large
areas of land

and is
friendly
with John-
ston's party.

Removal of
the duty on
sandal-
wood.

A rumour.

Foveaux's
rumoured
visit to
England.

Be this as it may, it avails but little to his credit. He has given grants of land to a large amount (one of a thousand acres, I hear) which is taking by far greater liberties. Can he think he is fully authorized to do so? If he had the least doubt of the validity of the grants he ought not to have given them, for they who possess them are deceived by false hopes. There is no knowing where the mischief will end. But what man of understanding would accept such a grant? It is rumoured that with whom he found the command of the colony he shall treat them as friends, but shall not listen to their advice in administering the Government. This is like two old acquaintances meeting after a long absence, whereby in the meanwhile one is become a notorious villain; the other says, "I shall still keep your company, as before, but shall not allow you to interfere with my integrity." But will not the public interfere with it? Some few things which had been done by the former usurper being altered, it was said the present one did not altogether approve of his measures. I may also say he did not altogether approve of what Gov'r Bligh had done, by taking the duty off sandal-wood,* giving the public, I presume, to understand it was an imposition, or that Gov'r Bligh had no right to levy it, but after all artfully leaves it to the determination of His Majesty's Minister. When he had the command at Norfolk Island he was spoken of as a very severe man, but here at the present it evidently appears he is aiming at becoming popular. But what is the use of the popularity of convicts? Gov'r King can explain this better, I think, than any other man, by having had the fairest trial. In my opinion, whoever is captivated with low popularity is not a man of sound understanding. I am credibly informed that Lieu't-Co'l Foveaux has applied for a passage to England in the Albion (the ship by which this letter is forwarded), but his application was rejected.† How could he think of obtaining a passage in a ship which was under the direction of one‡ of Gov'r. Bligh's most intimate acquaintances, and who had suffered most considerably by the usurpation, and must have had his feelings very much hurt by Foveaux himself in the seizure of the ship *Rose*!§

I am at a loss to know upon what account Lieu't-Co'l Foveaux wishes so soon to return to England, unless it is a place-hunting, by supposing there is now a very favourable opportunity and no time ought to be lost. When I was at Norfolk Island it was rumoured there that he (being in England) was trying to get a

* *Note by Caley.*—"Does not a lucrative traffic ought to contribute towards supporting a charitable institution"? See the Government and General Order of 24th September, 1805, ante, p. 761, rescinding the duty on sandal-wood.

† No records have survived which lend an air of probability to this rumour. Foveaux had landed from England but a few months before this letter was written and it is difficult to understand why he should wish to return so soon.

‡ Robert Campbell

§ *Note by Caley.*—"As Capt. Brooks, of the *Rose*, will undoubtedly wait upon you on his immediate arrival, I forbear saying anything respecting the seizure of the ship under his command. My last letter, which was dated 7th July, 1808, was forwarded by him, and think, setting aside the common risks of the sea, there is not the least doubt of their safe delivery, else I should have sent a copy by present opportunity."

detachment to colonise New Zealand. If this was his intention he seems to have failed in his project. Though he is entirely unknown to me in person, yet, from what I am able to judge of his general character, and the Orders he has issued, he is acting a very sly, cunning part, which is very requisite for you to be apprized of. But in such a case as the present one, can any man steer a course between *right* and *wrong* without running foul of either, even if the intention was good?

1808

28 Oct.

You see, sir, upon what footing I have taken up my pen, and I shall not fail to write to you by every favourable opportunity by fearing that some of my letters may be intercepted. The ship* by which I send this letter, I am informed, will sail in about a week; but though this may be the intention of those who have the directing of her, yet the ruling party may throw numerous obstacles in the way and retard the time. At all events I was determined not to be behind-hand, and should anything else occur by the time being prolonged I shall write again.

Caley will keep Banks informed.

You must naturally suppose that I am much cramped in my pursuit by this storm of fate, yet I keep adding to my collection. I have discovered two new species of *Boronia*, with pinnated leaves, since I last wrote to you. Though I make but little progress in the discovery of new things I have cleared up some doubtful matters. What I am doing at present may be called the gleanings of natural history, rather than the discovery of new objects. I hope you are in possession of the letter in which I have expressed so strong a desire of returning Home. I am very proud of my collection and shall be very choice how I venture on board ship; I would rather wait a considerable time than to risk it as Mr. Brown did his. We should not only be eager to collect, but to preserve what we have collected. My last letter from you was received last June three years. I cannot account for you not writing; you stand very much in your own light by not spurring me up. What fatigue I have undergone, and the obstacles that have been thrown in my way, are enough to wear out stronger constitutions and overcome more vigorous minds than mine. It would be in vain for me to attempt describing them by the pen. However, I shall content myself by thinking that I have erected a line of beacons as a guide to future botanists, and rendered the road more easy to travel.

Two new species of *Boronia*.

Caley's botanical labours.

I am, &c.,

GEORGE CALEY.

GOVERNOR BLIGH TO HIS WIFE.

Government House, Sydney, New South Wales,

My dear Betsy,

28th October, 1808.

In consequence of a seditious advertisement† in the rebel *Gazette* of the 25th ultimo (which I enclose) by Lieu't-Gov'r

* The *Albion*. She sailed on 12th November, 1808.

† The "advertisement" referred to was the Government and General Order of 24th September, 1808, ante, p. 761.

1808

28 Oct.

The impor-
tation and
duty on
sandal-
wood.

Foveaux, I received the enclosed papers* from Mr. Campoell, who in my time was Naval Officer. The sandal-wood has been procured with old iron, made into a kind of chisels, and nails, beads, and trinkets of any kind, and on very fair principles, which the estimate† shows. I put a duty of £2 10s. per ton on exportation, which was paid by the purchaser, and not at all felt by the merchant. I valued the sandal-wood at only £50 per ton, while it sold here for about £70, on an average, to vessels going to China.

I remain, &c.,

W^M BLIGH.

EARL FITZWILLIAM TO VISCOUNT CASTLEREAGH.

2 Nov.

My Lord,

Wentworth, 2nd November, 1808.

The arrest of
Bligh and
its bearing
on the sus-
pension of
Wentworth.

Some months ago‡ I took the liberty of bringing under your Lordship's consideration the case of Mr. Wentworth, who had been suspended from his office of Assistant-Surgeon in New South Wales by Governor Bligh. Since that time your Lordship will have received intelligence of Governor Bligh having been himself suspended by an act of those who were subordinate officers (of the merits of the case I know nothing, nor would it be fit, if I conceiv'd that I did, to offer any opinion to your Lordship thereon); but the consequence of the event has been that the grounds of Mr. Wentworth's suspension, which Gov'r Bligh had refus'd to make known to Mr. W., were found in a copy of the Governor's letter to H. M's Sect'y of State, and brought against Mr. W. before a Court-Martial,§ by which Court Mr. W. has been acquitted, and in consequence of his being acquitted he has been restor'd to his office.

Mr. Wentworth, therefore, being again in the function of office, permit me to express to your Lordship a hope that, should occasion occur, he will be allowed to rise by rotation, according to the rule establish'd by L'd Melville when Sec'y of State in 1795.

I have, &c.,

WENTWORTH FITZWILLIAM.

COMMISSARY PALMER TO GOVERNOR BLIGH.

[Extracts.]

4 Nov.

Sir,

Sydney, 4th November, 1808.

In addition to the letter I did myself the honor of laying before your Excellency, of the 31st August last,|| I have to offer a few further remarks.

The gross impositions carried on by the persons now in office, to engross not only grain, but also every other article, is beyond conception. There are several instances of their purchasing grain

* See Campbell's letter to Bligh of 26th September, 1808, and its enclosure, ante, p. 761.

† Ante, p. 762.

‡ In a letter of 18th April, 1808, Earl Fitzwilliam forwarded the memorial and other papers of Wentworth (printed on pp. 313 to 328) to Viscount Castlereagh.

§ See the proceedings at the trial referred to, ante, p. 522.

|| Ante, p. 721.

from the settlers and others at so low a rate as 2s. 6d. and 3s. p'r bushel (and has been frequently sold by execution on their effects at 1s. 6d.), and paying for it in spirits at £2 10s. and £3 p'r gallon. This they turn into store, and receive for it articles from the store, or cattle from the Government stock. The advantages arising to the purchaser of cattle will appear as follows:—

| | £ | s. | d. | |
|---|----|----|----|---|
| Government price for an ox or cow | 28 | 0 | 0 | Profits made
by bartering
with spirits. |
| By 112 bushels maize at 5s., the price given by Government | 28 | 0 | 0 | |
| 112 bushels of maize, purchased from individuals at 3s. p'r bush... | 16 | 16 | 0 | |
| 6½ gallons of spirits, to pay for the same at £2 10s. p'r gallon, is | 16 | 16 | 0 | |
| Profit arising on the 112 bushels of maize, 2s. p'r bushel, the difference between the sum paid and the sum allowed by Government | 11 | 4 | 0 | |
| Do. from the 6½ gallons of spirits* | 12 | 15 | 0 | |
| Total gain on the above | 23 | 19 | 0 | |

By the above statement it appears that the purchaser has the cow for £4 1s., and a clear profit of £23 19s.† So much for barter of spirits for grain, &c. The settlers by this means are deprived of pay'g their Government debt, or putting grain into store. Several of them have, upon application for that purpose, been refused, owing to the artifice of their agents up the country. Fitz may be classed as one of the first, and one of the busiest of the party. The situations he now holds, and the close intimacy subsisting between McArthur and Blaxcell, rather enforces the people to let him have grain at any price; and, being their principal agent, he is supplied by them with spirits, tea, sugar, &c., in order to pay for it. Thus your Excellency will please to observe all the grain falls into the hands of a few. Thus far the settlers are deprived of the indulgencies they might have otherwise have had, either of receiving articles from the store, or cattle, had they been permitted to put it in the stores on their own accounts.

The quantity of cattle received by Mr. Fitz is great, and scarce one of them paid for; indeed, the greatest part disposed of since the 26th January are still unsettled, so that the loss to Government will be immense; and Fitz, having taken upon himself the superintendence of the stock, can be of no service to Government as Deputy-Commissary, and I am well persuaded in my own mind that his acceptance of the same arises from some sinister view to serve the party and himself in the selection of stock, and 'tis very evident that the sale of cattle must have been made nearly as a cloak, for the greatest part of the cattle sold were old and very poor, and fell into the hands of McArthur, Blaxcell, Lawson, and

* Palmer reckons the spirits to have cost 12s. per gallon.

† This is somewhat misleading. What Palmer means is, that a merchant who laid out £4 1s. in purchasing 6½ gallons of spirits could make £23 19s. clear profit, and that this profit, plus the £4 1s. invested, would purchase an ox or a cow from the Government stores.

1808

28 Oct.

this colony. In this, however, I have had the mortification to be disappointed, and instead of finding the repairs and departure of the Porpoise hastened, the difficulties which before existed respecting her have been increased by the steps you have taken to prevent her acting commander from complying with my requisitions.

Foveaux's
policy.

In this state it is impossible I can suffer things to remain any longer without disregard to the welfare of Her Majesty's service, and therefore I feel myself obliged to submit to your choice, either to prepare yourself to embark in the Porpoise as soon as she can be got ready, and to return in her immediately to England, or to forbear from attempting to exercise any command by giving orders or otherwise whilst you remain here.

Bligh must
go as
prisoner.

If you shall determine to proceed to England in the Porpoise, it does not appear to me that I can propose any conditions which can be more binding on you than the pledge you have already given (and from which you have never been released) that you will consider yourself under arrest until His Majesty's pleasure shall be known.

Should that pledge be forgotten or violated after your departure from hence, you alone will be responsible.

I have, &c.,
J. FOVEAUX.

[Enclosure No. 37.]

REPLY TO ABOVE.

Sir, Government House, Sydney, 16th September, 1808.

Bligh will
remain in
the colony.

In reply to your letter of yesterday, I have to inform you that it is my intention to remain in the colony until His Majesty's pleasure shall be known. His Majesty's ship Porpoise has Captain Kent to command her; and if you deprive me of commanding with him, I in my present situation cannot prevent it.*

I am, &c.,
W^M BLIGH.

[Enclosure No. 38.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, Sydney, 17th September, 1808.

Bligh's in-
consistency
and opposi-
tion.

The intention you expressed yesterday of remaining in the colony until His Majesty's pleasure be known, and the intimation contained in your letter of the 3rd of August† of your having given orders to get the Porpoise ready to proceed Home with yourself and family without delay, are so completely contradictory and surprizing, that (when I consider them and reflect on the interruptions and confusion you have caused by your orders since you have been permitted to communicate with Captain Kent) I can not admit a doubt but it is your design to do everything in your power to impede His Majesty's service and to disturb the peace of

* See Foveaux's correspondence with Kent, ante, p. 757 et seq.

† Ante, p. 715.

the colony, by weakening the confidence of people in inferior situations as to the power of the present Government to protect them. 1808
28 Oct.

For these reasons, should circumstances prevent Lieutenant-Governor Paterson from relieving me in the command, I feel it will be my duty to take the first opportunity which shall present of sending you to England. Foveaux will send him Home.

As I am satisfied that no other consequences can possibly result from you being permitted to have further intercourse with the officers of His Majesty's ship Porpoise than an increase of difficulties and the retardment of the King's service on points materially effecting the order and welfare of this colony, I must desire that you will in future forbear from issuing any orders to, and from any kind of official communication with, Captain Kent, or any other officer or person belonging to His Majesty's ship Porpoise. Communications with naval officers must cease.

Your compliance with this will relieve me from the unpleasant task of removing you from Government House, or of imposing additional restraint on your person.

I have, &c.,

J. FOVEAUX.

[Enclosure No. 39.]

LIEUTENANT-COLONEL FOVEAUX TO GOVERNOR BLIGH.

Sir, Headquarters, Sydney, 18th October, 1808.

By Lieutenant-Governor Paterson's letter to me of the 29th of last month,* received by the Estramina, he acquainted me that he has written to you to inform you "that unless you proceed to England it will be necessary that you should remove to the Government House at Parramatta, that the Government House at Sydney may be ready for his reception to enable him to carry on the very anxious duties of the offices become incumbent on him by the interregnum that has been occasioned," and he desires that should you not have left the colony that I should cause proper steps to be taken for your removal by the period I may have reason to expect his arrival. Paterson will want Government House.

As I have applied to Captain Kent for His Majesty's ship Porpoise to proceed immediately to Port Dalrymple for the purpose of conveying Lieutenant-Governor Paterson to headquarters, I have to request (in compliance to his desire) that you will make arrangements, with as little delay as possible, for the removal of yourself and family to the Government House at Parramatta, unless it be your intention to leave the colony previous to the time that Lieutenant-Governor Paterson's arrival may be looked for. Bligh requested to remove to Parramatta.

Should it be your determination to go to Parramatta, I shall give directions for every assistance being rendered you in the removal of your establishment, and for having the house and garden prepared for your reception.

I have, &c.,

J. FOVEAUX.

* Ante, p. 764.

1306 a few others at a very low price, and were by them returned back
to Government stock. For what purpose they were permitted so to
do needs no comment. Fitz being the grand selector.

One thing I cannot help remarking of McArthur and his colleagues: they received articles from the store to fit up and furnish their houses, and issued as for Government use, and never meant to be charged against them. However, conscious of their having acted improperly, or fearful that Government might hear of it and cause an enquiry to be made, they have now requested bills to be made out, and the articles that stood charged as for Government use to be altered, and to stand as a charge against themselves. It is singular that this did not strike them before, as many of the articles have been issued since long as February last, and they well knew that they were issued from the stores to answer their own private purposes, and, at the same time, knew they were charged to Government.*

* * * * *

I have, &c.,

JNO. PALMER, Commissary.

SETTLERS' PETITION TO VISCOUNT CASTLEREAGH.†

New South Wales.

May it please your Lordship,

4th November, 1805.

Fr.
settlers.

We, your memorialists, being free planters and inhabitants in the colony call'd New Sth Wales, humbly implore your Lord

There is little doubt that many of the charges made by Palmer and others were founded purely on hearsay.

* George Suttor, a free settler, who came out under the protection of Sir Joseph Banks in the year 1800, appears to have been the leading spirit in preparing this address. In the *New South Wales Gazette* of 15th December, 1806, appears the following report of the proceedings of a Criminal Court—summoned to try George Suttor for having written a letter to Colonel Foveaux—it is stated by Rusden with regard to this petition, but in justification of his conduct in refusing to obey Foveaux's orders to attend at the general muster held at the end of November:—

"Mr. George Suttor, of Baulkham Hills, settler, was placed at the bar, and indicted for having directed unto His Honor the Lieutenant-Governor a letter, containing contumacious expressions, with intent to bring into contempt His Majesty's authority in this territory."

"The indictment being gone through, and Mr. Suttor called upon to plead, he replied:—

"Gentlemen,—I deny the legality of this Court. You may do with myself as you please; my unfortunate wife and family I leave to the mercy of God, until peace shall be restored in the colony. I have nothing more to say."

"The *Judge-Advocate* then addressed the prisoner as follows:—Mr. Suttor, you are called upon to plead to your indictment; and whatever you have to offer in your defence will be attentively considered of. I again ask you, are you guilty or not guilty?"

"*Prisoner*: Sir, all I have to say I have already said. I deny the legality of this Court. My allegiance is due to Governor Bligh, and Governor Bligh alone; and every drop of blood within my veins prevents me from ever acknowledging the legality of this Court. You may do with me as you think proper."

"The *Judge-Advocate*: Mr. Suttor, it is my duty to acquaint you that it is provided by Act of Parliament that in case a prisoner shall refuse to plead to his indictment, the effect shall be the same as if he pleaded guilty. Once more I call upon you—are you guilty or not guilty?"

"*Prisoner*: I stand as before; I have said all I have to say. You are to do with me as you think proper."

"The Court ordered to be cleared, and in about twenty minutes reopened, when

"The *Judge-Advocate* addressed the prisoner as follows:—Prisoner at the bar, in consequence of your refusal to plead to your indictment, the Court, in conformity to Act of Parliament, have found you guilty, and sentenced you to be imprisoned six calendar months, and to pay a fine of one shilling."

ship's permission to lay before you, in a concise manner, the state of this country, as well as the cause and effects of the change of government that took place in Jan'y last.

1808

4 Nov.

His Excellency Gov'r Bligh took the reins of governm't under the greatest disadvantages, owing to the great distress caused by the dreadfull flood just before his arrival, from which cause great numbers of the industrious farmers were brought to the greatest distress and total want of bread, at which time it required the greatest wisdom and prudence to govern the colony; and a more proper person than His Excell'y Gov'r Bligh could not have been found, who, by his most salutary orders put a stop to the bartering of spirits, and the stroling dealers who were generally employ'd by our trading officers, suppressing extortion and the Colonial cash notes, the drawers of which were making a trade of them, by chargeing from 25 to 40 p'r c't. whenever any of the holders of such bills presented them for consolidation.

Circum-
stances
under which
Bligh
assumed
command.

The spirit
traffic
stopped by
Bligh.

Your Lordship will be well aware that these and similar regulations were of the greatest service to the industrious, whilst they struck at the vitals of that monopoly and extortion which had so long reign'd in the colony, by which many of the officers and leading men had enriched themselves to the ruin of the inhabitants in general.

On the 26th of January your memorialists were struck with the utmost consternation upon hearing that His Excell'y Gov'r Bligh was deposed by the military, his papers seiz'd, public and private —said to be by the advice of John McArthur, Esq'r., who was that same day liberated from the county goal, in defiance of the civil law, by Major Johnston, who signed himself Lieut.-Governor, &c., &c., before His Excell'y Gov'r Bligh was put under an arrest. The next day your memorialists was much surpriz'd by hearing a proclamation read which usher'd in the new gov't, and a General Order, dated the 26th, wherein Major Johnston declares that he deposed the Gov'r at request of the principal inhabitants, which we, the undersigned, pray for permission to protest to your Lordship that we, your memorialists, knew nothing of the arrest of the Gov'r until after it had taken place; neither are we in possession of any circumstances that cou'd in any wise justify so daring an act; and we venture to affirm to your Lordship that not twenty of the inhabitants were consulted before the arrest took place.

Settlers
alarmed by
the arrest of
Bligh.

They deny
any com-
plicity.

On the 12th of Feb'y John McArthur was appointed magistrate and Colonial Secretary, by which means the man got to the head of public affairs who but a few days before was committed to the county goal to take his trial at a Criminal Court for various misdemeanours; and, no doubt, his artifice and cunning was the cause of the change of government, and not the request of the inhabitants, as stated by Major Johnston.

Macarthur
appointed
Colonial
Secretary.

The effects of this change of gov't is seen and felt, both in Church and State—in the Church, by silencing the only regular

The
Chaplain
dismissed.

1838

4 Nov.

clergyman in the colony for his adhe
Bligh at the time of his arrest ; in
into confusion, and many of the inha
complain of a partial administration
of the land labour under the greatest
can get no cash for their grain, from
not able to discharge their debts o
families.

Decline of
agriculture

Upon a moderate calculation, there
sown this year than when His Excell'
owing from the officers monopolizing
for various other purposes than agri
end, be the total ruin of the colony,
able to grow grain sufficient to suppo

Pray for
Bligh to be
reinstated.

Thus your memorialists have presu
ship the state of the colony in as br
can, and pray that your Lordship w
known humane consideration, and gr
Bligh may honourably take the rein
us, that our prosperous state may b
industrious and well deserving encour
memorialists, as good liege subjects,
pray.

Geo. Suttor, John Smith, W'm Shell
Smith, James Davison, And'w
Thomas McDougall, William H
John Hillas, John Turnbull, Tho
John Howe, Mathew Pearce, J
William Bowman, John Youl, Ja's
Francis Oakes, and John Kenne

N.B.—Several hundred more si
obtained, but the system of terror
prevented us from venturing further.

LIEUTENANT-COLONEL FOVEAUX TO U

9 Nov.

Dear Sir, Sydney, Port Jack

By the Albion, which will sail
a duplicate of my private letter of tl
Rose.

Paterson's
indecision.

To the information contained in it,
Secretary of State, I have little mo
myself placed in a most embarrassing

* See Arnell's letter to Griffin of 11th April, 1838,
of the contents of a paper which he signed shortly
previous signature.

† Marked "Private."

by the indecisive conduct of Colonel Paterson, who seems extremely reluctant to leave Port Dalrymple, and yet wishes to be thought altogether as anxious to repair to where he must be conscious his duty calls him.

1808

9 Nov.

However strong my suspicions had before been of the little attention paid at the dependent settlements to anything but individual interests, they are now more than realized, and the arrival of the City of Edinburgh this afternoon from the Derwent has afforded me the most positive conviction that a system of the most unexampled profusion, waste, and fraud, with respect both to money and stores, has been carried on, almost without the affectation of concealment or sense of shame.

Abuses
at the
dependent
settlements.

Colonel Collins, notwithstanding the immense and scarcely credible sums he has drawn for, has not, since the establishment of the settlement, erected even a shed sufficient to secure the public stores from the plunder of thieves or shelter them from the inclemency of the weather; and the large supplies of stores and implements which he brought from England and which he has received from hence, seem to have been converted to no purpose whatever of utility either to the Crown or the colony.

Extrava-
gance at the
Derwent

The system of Government at Port Dalrymple seems to be model'd upon the same plan as that of the Derwent.

and Port
Dalrymple.

After this statement, I look upon it as unnecessary to repeat the suggestion I took the liberty of offering in my private letter of the 6th Sept'r,* respecting the selection of men of talents and integrity for the Government of these settlements, should it be the expectation of Ministers that England is to derive any benefit from them to compensate for their expense.

The brig Star arrived here on the 10th of last month. I have permitted about 600 gallons of rum and brandy, imported in her from England, to be landed, one-half of which I have allowed the proprietors—Messrs. Lord and Kable—who are very extensively engaged in shipping concerns, to appropriate to their own uses, and the remainder has been distributed amongst the officers of the civil and military establishments in the proportion of six gallons to each. The harvest promises a most plentiful supply of grain. As soon as it shall have been saved, I intend to make a distribution of horned cattle amongst the settlers in exchange for wheat for the use of Government, which will materially reduce the expenses of the ensuing year; and that of the present year, I am happy to inform you, will amount to a sum extremely inconsiderable when compared with the expenditure of preceding years.

Spirits
allowed to
be landed.

The harvest.

I have, &c.,

J. FOVEAUX.

* This appears to be the letter of 10th September, 1808, ante, pp. 749 *et seq.* The paragraph referred to will be found on page 754.

1808

LIEUTENANT-COLONEL FOVEAUX TO VISCOUNT CASTLEREAGH.
[Extracts.]

9 Nov.

My Lord, Sydney, Port Jackson, 9th November, 1808.

Despatches
by the
Albion.

The departure of the Albion whaler for England affords me an opportunity of communicating with your Lordship, which I avail myself of, with so great a degree of mistrust that I do not think it prudent even to commit to her conveyance the duplication of my despatches to your Lordship by the Rose.*

Campbell
and Co.
partisans of
Bligh.

This distrust arises from the Albion being partly the property and entirely under the controul of Messrs. Campbell and Co. of this place, who, as your Lordship has been informed by my letter of the 4th September last, took every measure in their power to prevent my despatches to your Lordship from being convey'd to England in the Rose, and who have on the present occasion refused to allow the master of the Albion to accomodate two officers with a passage to England, agreeable to a requisition made by me for that purpose, and my want of confidence is naturally encreased from the circumstance of its being well ascertained that very few of such letters have heretofore been entrusted to ships from this colony under the influence or management of Messrs. Campbell & Co. have ever reached the hands of those persons to whom they were directed in England.

A plentiful
supply of
grain.

I am, therefore, under the necessity of confining myself at present to some very general remarks upon the affairs of the colony, and it gives me much pleasure to commence with acquainting your Lordship that the stores contain a sufficient quantity of grain to serve until the produce of the ensuing harvest shall be saved, which, from the appearance of the growing crops, promises to be uncommonly abundant.

* * * * *

I expect that the walls of the new stone granary at Paramatta will be completed in less than a fortnight.

Building
operations at
Sydney.

I have commenced and made very considerable progress in the erection of a substantial brick barrack, one hundred and eighty feet in length, and two stories high,† in addition to the old one, a measure become indispensable from the increased strength of the New South Wales Corps by the reinforcements which arrived in the Sinclair and the Recovery, and by those expected in the ships now on their passage from England.

The new
barracks.

The completion of the new barrack will, however, by no means afford adequate accomodation for the number of the Corps stationed at headquarters, and the present distress'd state of the colony and government mechanics and labourers puts it out of my power to carry on a further extension of the new or even to accomplish the necessary repairs of the old one. The troops must, therefore, still continue in a great degree exposed to the inconveniences described to your Lordship in my letter (A) of the fourth of September.

* These were the despatches of 4th and 6th September, 1808, ante, pp. 728, 730, and 741.

† These were the barracks situated in Wynyard-square.

The Estramina, schooner, which I sent to Port Dalrymple immediately after my arrival here, to convey Lieutenant-Governor Paterson hither, returned on the 12th of last month without him. He assigns the bad state of his health and the want of sufficient accommodation in the Estramina as the causes of his not having come to headquarters, and requires that His Majesty's ship Porpoise may again be sent for him. As the damages sustained by that vessel when before dispatched on the same service were completed, I applied to her Acting Commander, Captain Kent, to proceed with her to Port Dalrymple, and she accordingly sail'd from hence on the 31st ultimo.

1808

9 Nov.

Lieutenant-Governor Paterson.

* * * * *

I have, &c.,

J. FOVEAUX.

GOVERNOR BLIGH TO VISCOUNT CASTLEREAGH.

Government House, Sydney,

My Lord, New South Wales, 12th November, 1808.

12 Nov.

Since closing my despatches for the Albion, the City of Edinburgh has arrived after an absence of twenty-four weeks. It is reported that she carried twenty eight families, amounting to two hundred and fifty souls,* to the Derwent, where she left them in a state of wretchedness, almost naked, and has left two hundred and ninety on Norfolk Island. I hope a correct account may be transmitted by Lieutenant-Colonel Foveaux, but I have to observe on whatever it may be, that it is an increase of evils which never would have attended my administration.

Settlers from Norfolk Island.

To support the principles of the late rulers, among other cunning arts which they have devised to lead the unwary into their snares, and shew their authority, is their bold and determined way of giving grants of land to certain persons who they believe can be secured in their interests. This extraordinary act is not only rebellious, but insulting; and I find it is used up to this moment in order to make as many proselytes as they can to defend them. It varies, however, in one instance, for Major Johnston has given two thousand acres to his son, who, of course, required no such stimulation to support his father. I do not know that the Great Seal has been put to these grants of delinquency; but I beg leave to inclose a list which has come to light this day by a report of the Deputy Surveyor, and there is little doubt of its being enlarged. Under your Lordship's directions to me these things will be readily settled the instant I reassume my authority, and the people are confident of support. All supplies of stationary being taken from me, I am under the necessity of writing on what I can get, and hope your Lordship will admit of this apology.

The issue of land grants.

Enclosure.

I am, &c.,

W^M BLIGH.

* According to the tabulated statement by Fosbrook (ante, p. 773) only 226 landed at the Derwent from Norfolk Island, in the City of Edinburgh. Collins (ante, p. 785) gave the number as 242.

1808

[Enclosure.]

12 Nov.

Land grants
issued by
Johnston
and
Foveaux.

ACCOUNT of land given away by Major Johnston and Lieu.-Colo
Foveaux, up to 8th Nov'r, 1808, as far as can be known at present.

Major Johnston.

Lieut. Lawson—Five hundred acres, at the foot of the Blue Mountain.
George Johnston (Major Johnston's son)—Two thousand acres, including
Emu Island, bounded by the range of mountains and the river Nepean.
Lieutenant Minchin—One hundred acres at George's River.
Lieutenant Moore—Eighty-three acres near Long Cove.
Ensign Bell—Six hundred acres at Richmond.
Mr. Fitz.—Six hundred acres; and six hundred acres for Captain Sh
of His Majesty's ship Porpoise.
Captain Kemp, the present Judge-Advocate—Five hundred acres.

Lieutenant-Colonel Foveaux.

— Faithful—One thousand acres at the back of Canterbury.
Mr. James Wilshire—Five hundred acres adjoining the above.
One of Mrs. Pitt's daughters—Five hundred acres.

GOVERNMENT AND GENERAL ORDER.

19 Nov.

Headquarters, 19th November, 1808

Robert Fitz.

ROBERT Fitz, Esquire, Deputy Commissary, is appointed to act as
Commissary, and to take the charge of His Majesty's stores
further orders.

GOVERNMENT AND GENERAL ORDER.

20 Nov.

20th November, 1808

Payment of
soldiers.

LIEUTENANT-COLONEL Foveaux has given orders to the officers
the New South Wales Corps paying companies not to issue for
this day their own notes as heretofore on account of soldiers' pay,
in place of which the men are in future to receive their subsistence
and be settled with for their balances in the notes of Capt
Edward Abbott, the Acting Paymaster.

And he has also directed that the notes which have been issued
on account of soldiers' pay by the officers paying companies shall
be immediately called in by them and liquidated.

William Broughton, Esq., Deputy Commissary, is to do duty
this settlement until further orders.

GOVERNMENT AND GENERAL ORDER.

20th November, 1808

Walter
Davidson.

WALTER STEPHENSON DAVIDSON, Esq., having returned to
colony, will resume his situation as a member of the Civil Com

* From a return prepared at a subsequent date, it appears that the quantities of
alienated by the various Governors and Lieutenant-Governors were as follows:—

| | | |
|---------------------------------|---|-----|
| Governor Phillip | 26th January, 1788, to 11th December, 1792 .. | 3 |
| Lieutenant-Governor Grose .. | 11th December, 1792, to December, 1794 .. | 1 |
| Lieutenant-Governor Paterson .. | December, 1794, to 7th September, 1796 .. | 2 |
| Governor Hunter | 7th September, 1796, to 28th September, 1800 .. | 2 |
| Governor King | 28th September, 1800, to August, 1806 .. | 10 |
| Governor Bligh | August, 1806, to 26th January, 1808 .. | 3 |
| Major Johnston | 26th January, 1808, to July, 1808 .. | 1 |
| Lieutenant-Colonel Foveaux .. | July, 1808, to January, 1809 .. | 5 |
| Colonel Paterson | January, 1809, to December, 1809 .. | 6 |
| Total .. .. | .. .. | 100 |

† Exclusive of commons.

LIVE STOCK AND AGRICULTURE.

809

stock in their possession, also a return of the land in cultivation and stock in this settlement belonging to the Crown.

| To whom belonging. | Number of acres in— | | | | | | | | | | Horned Cattle. | | Sheep. | | Goats. | | Swine. | |
|--|---------------------|--------|---------|-------|-----------------|------------|----------|----------|----------------|-------|----------------|--------|--------|-------|--------|---------|--------|---------|
| | Wheat. | Maize. | Barley. | Oats. | Peas and Beans. | Potato &c. | Turnips. | Orchard. | Flax and Hemp. | Male. | Female. | Bulls. | Cows. | Oxen. | Male. | Female. | Male. | Female. |
| | | | | | | | | | | | | | | | | | | |
| The Crown | 100 | .. | 10 | .. | .. | .. | .. | .. | .. | 20 | 18 | 21 | 1,791 | 1,800 | 305 | 104 | .. | .. |
| Officers, Civil and Military | 1,365 | 178 | 22½ | 13 | 17 | 19½ | .. | 65 | 0 | 51 | 149 | 98 | 1,111 | 605 | 2,038 | 5,298 | 40 | 73 |
| Settlers | 5,400 | 3,211½ | 51½ | 79½ | 108½ | 231½ | 13 | 481 | 28½ | 258 | 320 | 40 | 1,406 | 1,172 | 7,449 | 15,327 | 799 | 1,070 |
| Persons not holding land | .. | .. | .. | .. | .. | .. | .. | .. | .. | 44 | 35 | 19 | 307 | 103 | 325 | 1,222 | 97 | 398 |
| Total | 7,877 | 3,390½ | 844½ | 92½ | 100½ | 301 | 13 | 646 | 94½ | 412 | 539 | 118 | 5,115 | 3,771 | 10,807 | 22,451 | 1,935 | 2,030 |
| | | | | | | | | | | | 940 | | 9,004 | | | 33,253 | 2,975 | 19,869 |

J. FOVEAUX.

1808
24 Nov.
Land and live stock.

1808

GOVERNMENT AND GE

29 Nov.

Private
cattle with
public
herds.

It having been reported to Liente
several individuals have their stock
herds, they are hereby required to re
December, as all cattle found in the
considered as belonging to the Crown

GOVERNMENT AND GR

3 Dec.

Wheat 10s.
per bushel.

NOTICE is hereby given, that His Ma
Parramatta are now open, and will con
receive wheat at the rate of ten shillir
Commissary has had instructions to be
a preference to settlers and others who
selves, to the exclusion of persons wh

Payment for
live stock.

Major Johnston having represente
indebted to the Crown for stock issue
of his command, Lieutenant-Govern
stores at Sydney, Parramatta, and th
for the receipt of wheat in payment
immediately be adopted for recoverir
unsettled after this notice.

Government
cows for
settlers.

Lieutenant-Governor Foveaux inte
amongst the settlers and others cult
£28 per head in exchange for wheat
of Government, such persons as wish
arrangement are desired to send a re
sary of the number they mean to app

Payment in
advance.

The distribution will commence as
sufficient for the purchase of fifty he
cattle will be issued to any person wh
the storekeeper's receipt for the wh
that none but good breeding cows an
able to the purchasers will be dispose

BRIGADIER-GENERAL NIGHTINGALL T

6 Dec.

The Govern-
ment offered
to General
Nightingall.

My Lord,

Lor

Having maturely considered t
ship did me the honor to make, relat
South Wales as Governor and Com

* Brigadier-General Nightingall was an officer of dis
service in well nigh every quarter of the globe. A
Biography (vol. xli, p. 66) he was appointed Governo
Wales in December, 1808, but was forced by a serio
He served in the opening campaign of the Peninsular
House of Commons in 1820, and again in 1826, and die
Secretary of State, urging the advisability of appointi
he remarked, would, if a fair salary was given him,

fully weighed the great and numerous sacrifices which I must in that event submit to, by residing for a period of at least four or five years (independent of fourteen or fifteen months for the passage out and Home), in a country so very distant, and deprived of almost all communication with England, it naturally occurs to ask what permanent advantages are likely to result from an undertaking attended with so many disadvantages, and from a service which at the very outset must be viewed as both difficult and unpleasant.

1808

6 Dec.

The salary of Governor is, I understand, limited to two thousand pounds a year, and the military allowances of a Major-General on the staff will make an addition of about one thousand pounds, a sum altogether so small as to preclude the possibility (even with the strictest economy) of saving anything of consequence; and it can hardly be expected that any General officer of character and reputation in the service could possibly submit to so many sacrifices, or go to so very distant a quarter of the globe for so long a period, without an adequate compensation; and as it must be impossible to save anything worth mentioning out of the small salary above stated, I trust your Lordship will not deem it unreasonable in me to propose (in the event of my acquitting myself of this service with credit and to the satisfaction of His Majesty) that I might on my return to England be allowed a remuneration for life equal to half the salary which it is intended I shall receive as Governor, &c., in New South Wales.

The salary of Governor.

He asks for a pension.

This allowance, and the prospect (which my services fairly entitle me to expect) of soon obtaining a regiment, would undoubtedly prove a strong stimulus to my exertions, and would at the same time justify me in the eyes of my friends for accepting a situation which otherwise might be considered by a military man of fair prospects and good expectations as little better than a waste of time.

A waste of time.

With a permanent advantage of this nature I am willing and ready to proceed forthwith to New South Wales, and will enter most heartily into all the views and measures of His Majesty's Ministers, and I feel confident that it will be in my power to give complete satisfaction.

I have, &c.,

M. NIGHTINGALL,

B.-General.

GOVERNMENT AND GENERAL ORDER.

8 December, 1808.

8 Dec.

LIEUTENANT-GOVERNOR Foveaux has been pleased to appoint Mr. Simeon Lord and Mr. David Bevan to be Vendue Masters to the colony, in the room of Garnham Blaxcell, Esq., resigned.

Vendue Masters.

1808

LIEUT.-COLONEL FOVEAUX TO LIEUT.-GOVERNOR COLLINS
[Extracts.]Headquarters, Sydney, Port Jackson,
10th December, 1808.

10 Dec.

Sir,

Convict
labourers
required at
Hobart.
Town.

* * * * *

I lament that I find it altogether impossible to contribute to the relief of the settlers from Norfolk Island by sending the supply of convicts requisite to furnish them with their stipulated number of servants ; but we are so distress'd for hands at this settlement that I can scarcely find sufficient to carry on the public works. In the hope, however, of alleviating their sufferings, I shall strongly recommend to Lt.-Gov. Paterson (whose arrival is hourly expected) to send a vessel to remove part of them to Port Jackson, who, from their good character, you may deem worthy of such indulgence, and who are not already established at the Derwent.

Goods
received
from
England.

I send you a proportion of the last investment received from England, the invoices of which are forwarded to you by the Acting Commissary, and which contain a supply of all the articles sent out, except of earthenware, for which there is not sufficient room in the Venus. I have also sent three hundred bushels of maize, and a supply of medicines, agreeable to your requisition.

Your letters for England have been forwarded by the Albion, whaler, which sailed from hence on the 14th of last month.

I have, &c.,

J. FOVEAUX.

GOVERNMENT AND GENERAL ORDER.

13 Dec.

13th December, 1808.

The Judge-
Advocate.

CAPTAIN A. F. Kemp, of the New South Wales Corps, having requested permission to retire from the function of Acting-Deputy Judge-Advocate, Lieutenant-Governor Foveaux has been pleased to accede to his wish, and his resignation has accordingly been accepted.

Captain Kemp is to repair to Parramatta, and take the command of the detachment stationed there, and is likewise to act as a magistrate.

Richard Atkins, Esq., Deputy Judge-Advocate to the colony, is to resume the duties of his office until further orders.

VICOUNT CASTLEREAGH TO BRIGADIER-GENERAL NIGHTINGALL.

14 Dec.

Sir,

Downing-street, 14th December, 1808.

I have to acknowledge the receipt of your letter of the 6th inst.,* and altho' it is not possible for me to propose to you the Government of New South Wales with an express assurance of provision on your return, yet I can have no difficulty in bringing the acceptance of it under your consideration, with reference to the arrangements of this nature which were made for the Governors Phillip and Hunter on their retiring from that situation.

* Ante, p. 810.

I consider it necessary for the public interest that the Government of that colony should be placed upon a more respectable footing than it has hitherto been, and that for this purpose a general officer, with a regiment of the line, should be sent there, to whom should be entrusted the administration of the colony.

1808
14 Dec.

Considering you as qualified to re-establish tranquillity and correct abuses in a settlement which appears by the latest accounts to have fallen into a state of great disorder and insubordination, I am ready to submit, if it meets your wishes, your name to His Majesty for the situation in question, and can have no doubt that, on your return to Europe, His Majesty's Government will feel it their duty liberally to consider your claims for some permanent provision proportionate to your rank in the King's service, the length and nature of your services, and the sacrifice which any officer of reputation must be considered as making, who, for a very limited compensation, is induced to proceed to a settlement so remote on the public service, more especially in contemplation of finding the colony over which he is to preside in a state that must materially add to his labor and responsibility.

I have, &c.,

CASTLEREAGH.

VISCOUNT CASTLEREAGH TO THE DUKE OF YORK.

Sir

Downing-street, 14th December, 1808.

I have the honor to acknowledge the receipt of your Royal Highness's letter of October,* naming the 73rd Regiment as the most proper to be sent to New South Wales, and I agree with your Royal Highness in the propriety of this arrangement, and adding a second battalion to that regiment, upon the same footing as second battallions have lately been added to the 11th and 34th Regiments. At the same time, I wish to submit to your Royal Highness whether some arrangement might not be made by which the New South Wales Corps might be established as a second battalion to some of the regiments already numbered, instead of its being styled the 102nd, as suggested by your Royal Highness.

The 73rd
Regiment to
succeed the
New South
Wales Corps

I have, &c.,

CASTLEREAGH.

LIEUTENANT-COLONEL FOVEAUX TO COLONEL PATERSON.

Sir,

Headquarters, Sydney, 21st December, 1808.

21 Dec.

Having received information that it is the intention of Commodore Bligh to give orders to the officer commanding His Majesty's ship Porpoise to put you under arrest, and detain you on board as a prisoner as soon as the vessel shall arrive in the harbour, I have thought it my duty to adopt such measures as appear to me most likely to counteract his designs, and to ensure your landing in safety, and assuming the command as Lieutenant-Governor of the territory.

Bligh
threatens to
arrest
Paterson.

* Ante, p. 782.

1808

21 Dec.

The
Porpoise
delayed.

Fifty-one days having now elapsed since the Porpoise from hence for the purpose of conveying you hither, so extraordinary a delay has given rise to great apprehension for her safety, I have yielded to the solicitation of Porteus (who has been commissioned by the Admiralty to command her) to send the Estramina to Port Dalrymple to assist her situation, and, if necessary, to render her every assistance. Lieutenant Oxley, who has likewise been sent to her, takes a passage in the Estramina, and is the bearer of this letter.

Suspense
caused by
Paterson's
delay.

As Commodore Bligh evinces a more than usual determination to disturb the peace of the colony, I must once more point out to you the absolute necessity of putting an end to the suspense I have been kept in for nearly five months, impossible for me to act with that degree of decision which the interests of His Majesty's Government require so long a delay in the command under the very embarrassing circumstances. I have been placed by the impediments that have hitherto unfortunately prevented your appearance at headquarters.

Salt meat
for Port
Dalrymple.

I avail myself of the opportunity offered by the Estramina to send forty casks of salt provisions for the settlement at Port Dalrymple, and I beg to communicate to you that the promotion of Lieut'nt John Brabyn to be a captain in the New South Wales Corps appeared in the *London Gazette* of the 13th February.

I have, &c.,

J. FORTESCUE

MRS. BLIGH TO SIR JOSEPH BANKS. (Banks Paper)

Dear Sir Joseph, Durham Place, 21st December.

Report of
Macarthur's
trial.

I beg leave to return you my sincere thanks for your kind note you sent me when you returned me Mr. MacArthur's letter. I was sorry to ask for it, but the people who had lent it me were so very clamorous for it. I have since got another copy of it, which is forthcoming when you please. I now enclose Col. Bligh's letter to you of the 11th March, 1808.* To-day Capt. Smith of the *Ferret*,† whaler (who arrived with the India fleet) has brought the following information: He had victualled at Norfolk Island and sailed from thence on the 27th of May. Three days after he sailed, a large ship, called the *Edinburgh Castle*, arrived from Sydney, sent by Johnston to bring away the officers.

News from
Sydney.

* This letter has apparently been lost. On p. 538, ante, will be found Paterson's letter to Castlereagh, dated 12th March, 1808, which in all probability was purport with that sent to Banks.

† The *Ferret* sailed from Sydney on a fishing voyage, the 22nd October, 1807. The information was erroneous. The vessel sent by Bligh was named the *City* (not the *Edinburgh Castle*), and she sailed from Sydney on Wednesday, 28th (not 25th) of May, 1808. The Porpoise arrived at Sydney on the following day (29th May), but Col. Bligh was not on board.

purpose to evacuate that island, according to orders which had been sent from England. She had left Sydney on the 17th of May, and in coming out of the cove she passed the Porpoise, entering it with Col. Paterson on board. At the time she left Sydney the Governor continued a prisoner in arrest, as when we last heard from him. All our hopes now rest upon Colonel Paterson's behaviour to him when he arrives there.

1808

21 Dec.

I beg leave, dear sir, to mention a report which has given me some uneasiness. I am told that General Nightingall has been appointed Governor of New South Wales, in the room of Capt. Bligh, who is dismissed his government; but I cannot believe it until I hear it from better authority. Mr. Grimes says he has been sent for by the General to give him every necessary information relating to his outfit, &c. I am aware of the trouble I must give you were I to entreat you to write to me; but as Mr. Brown has ever been very friendly to us, I think he will not scruple to bring me any information you will have the goodness to send to me.

Rumoured
dismissal of
Bligh.

I cannot help feeling deeply interested that nothing may have been advanced or admitted against Capt. Bligh in his absence which in any way derogates from his moral character or from his conduct as an officer. I beg, dear sir, that with your constant friendship and goodness you will excuse and believe me,

Yours, &c.,

ELIZABETH BLIGH.

The Edinburgh Castle is a large ship, above 600 tons, which was sent from the Cape to N.S. Wales with a cargo of wines, &c.

UNDER-SECRETARY COOKE TO SIR JOSEPH BANKS.

(Banks Papers.)

Dear Sir,

Downing-street, 22nd December, 1808.

22 Dec.

Certainly, from what I have seen, there is no proof of that species of misconduct in Governor Bligh which should warrant his immediate recall, if nothing had taken place in the colony beyond ordinary opposition.

Bligh and
the Govern-
ment.

But I very much fear that the circumstances which have attended the insurrection in the colony would make it impossible that the government of it should be carried on hereafter there by Governor Bligh with ease or happiness to himself or any prospect of advantage to the colony.

Necessity for
appointing a
successor.

Besides, it is understood that he is upon his return hither in the *Rose*.

I have no doubt that the fullest justice will be done him and means taken to punish the rebels.

Yours, &c.,

E. COOKE.

1803

SIR JOSEPH BANKS TO MRS. BLIGH.* (Banks Papers.)

24 Dec.

My dear Madam, Soho Square, 24th December, 1808.

Impossi-
bility of
Bligh con-
tinuing to
govern
colony.

I do not know that any person has been actually appointed here Governor of New South Wales; but I fear we must not flatter ourselves too much with the hope of my friend and your husband being permitted to retain it. Experience has hitherto shewn—least, such is the opinion of Government—that after such a convulsion has taken place as caused the late revolution at Sydney no restor'd Governor, whoever he may be, can govern a reinstated colony either with comfort to himself or advantage to his employer.

Full justice
for Bligh on
his return.

What is the final determination of Government on the subject if they have yet made up their minds on the matter, I do not know; but I do know that nothing hitherto brought to light has created the least prejudice against your husband. I can therefore entertain no doubt that the fullest justice will be done to him and a proper punishment inflicted on the perpetrators of this abominable revolution, which has caus'd so much evil. You probably know that it is understood by Government that he is to return to this country in the *Rose*.

Soldier r.
sailor.

Another circumstance appears rather obvious even to a common observer, which is that the command of a colony, the whole administration of which is intrusted to the military, should rather be intrusted to a soldier than to a sailor.† The present unfortunate affair has proved that soldiers do not like to pay the obedience they owe to a sailor, tho' it is probable they would not have refus'd it to an officer of their own cloth.

Bligh's un-
sullied
character.

If the Governor does return Home, he may, however, I am confident, not only hope but trust that he will bring back with him that excellent character he took out with him unsullied and unabated, and will have a clear claim on the future patronage of Government on account of the unmerited and abominable treatment he has undergone, and that, altho' the hopes his relatives and his friends indulg'd themselves in of his being able by the emoluments‡ of his government to make an increas'd provision for his family are now dissipated, that he will in future proceed in life as prosperously at least as he has hitherto done, and that his friends will increase rather than be diminished by the singular nature of the untoward circumstance which has unexpectedly thwarted his views and disappointed his hopes of increasing his property.§

* This was evidently written in reply to Mrs. Bligh's letter of 21st December, 1808, ante, p. 814, and after the receipt by Banks of Under-Secretary Cooke's letter of 2nd December, 1808, ante p. 815.

† This passage leads one to suppose that Banks had heard (though he did not wish to agitate Mrs. Bligh by the admission) that there was foundation for the rumour that Government proposed to appoint General Nightingall in the room of Bligh.

‡ This allusion and the closing sentence of the letter are remarkable. It may be that Bligh's intention of farming in the colony was an open secret to Banks, if not to Government.

§ The letter (a draft) is unsigned.

GOVERNMENT AND GENERAL ORDER.

1808

24th December, 1808.

24 Dec.

Mr. THROSBY, Assistant Surgeon, having returned from Newcastle, is to do duty at headquarters until further orders.

Throsby
returned
from New-
castle.

GOVERNMENT AND GENERAL ORDER.

LIEUTENANT William Lawson, of the New South Wales Corps, will hold himself in readiness to embark for Newcastle to take the command of the settlement there, in the room of Ensign Villiers, who is to return to headquarters.

Lawson.

GOVERNMENT AND GENERAL ORDER.*

25 Dec.

His Majesty has been pleased to make the following promotions in the New South Wales Corps :—

Military
promotions.

War Office, 13th February, 1808.

Lieutenant John Brabyn to be captain of a company, without purchase, *vice* Savory, removed to the 57th Foot.

Brabyn.

Quartermaster-serjeant Field to be quartermaster, *vice* Laycock.

War Office, 27th February, 1808.

Ensign B. M. Senior to be lieutenant, by purchase, *vice* Bayly, who retires.

Senior *vice*
Bayly.

War Office, 12th March, 1808

William Cox, gent., to be ensign, by purchase, *vice* Finucane. promoted.

Cox.

War Office, 9th April, 1808.

Lieutenant Duncan McArthur, from the 72d Foot, to be captain of a company, without purchase, *vice* Lambe, appointed to the 66th Foot.†

D. Macar-
thur.

War Office, 7th May, 1808.

His Majesty has been pleased to appoint Lieutenant-Colonel William Paterson, of the New South Wales Corps, to be a colonel in the Army.

Colonel
Paterson.

Major George Johnston, of the New South Wales Corps, to be a lieutenant-colonel in the Army.

Lieutenant-
Colonel
Johnston.

And Captain Edward Abbott, of the New South Wales Corps, to be a major in the Army.

Major
Abbott.

War Office, 10th May, 1808.

His Majesty has been pleased to appoint Lieutenant-Colonel David Collins, of the Royal Marines, to be a colonel in the Army.

Colonel
Collins.

* Copied from the *Sydney Gazette* of 25th December, 1808.

† In consequence of the determination to recall the New South Wales Corps, Ensign Senior and Lieutenant Duncan McArthur did not come out to the colony.

1808

JAMES PULTENEY TO LIEUTEN

29 Dec.

Sir, W

In pursuance of a com'n from the honor to acquaint you that, in co deemed expedient that the 73rd Foot embark forthwith for New South Wal was originally raised for the servio been pleased to order that a second l reg't, to consist in the first instance of of 100 rank and file each. When the batt'n shall exceed 400 rank and file comp'ies of 100 men each and anot completion of that number, the batt to the establishment of 10 comp'ies, officers and non-com'd off'rs.

30 Dec. RETURN of Vessels Entered Inwards

[Abstracted from *Sydney*

| Time of Entry. | Ships' Names. | Masters' Names. | |
|----------------|------------------------------|------------------|---|
| 1808. | | | |
| 14 Jan | City of Edinburgh | Capt. Pattison.. | 3 |
| 30 .. | Brothers .. | Capt. Russell .. | 3 |
| 4 Feb. .. | Dart .. | Capt. Smith .. | |
| 3 Mar. .. | Harrington .. | ..... |  |
| 21 .. | Fox .. | Capt. Cockerill | |
| 31 .. | Harrington .. | Capt. Campbell | |
| 15 April | Rose .. | Capt. Penson .. | |
| 5 May .. | Persuance .. | ..... |  |
| 2 June | Sarah .. | ..... | 6 |
| 16 .. | Favourite (brig) .. | ..... | 1 |
| 22 .. | Cumberland .. | ..... | 6 |
| 25 .. | Eagle (brig) .. | ..... | 2 |
| 7 July .. | Young William .. | ..... | 8 |
| 8 .. | Hero .. | ..... | 7 |
| 10 .. | Mercury (Colonial schooner). | ..... | 1 |
| 11 .. | Trial .. | ..... | 1 |
| 19 .. | Dundee .. | ..... | 7 |
| 21 .. | King George (Colonial ship). | ..... | 8 |
| 24 .. | Recovery .. | Capt. Bacon .. | 7 |
| 29 .. | Sinclair .. | ..... | 4 |
| 21 Aug | Lady Nelson .. | ..... | 6 |
| 17 Sept. .. | Ann .. | ..... | 6 |
| 17 .. | Seringapatam .. | ..... |  |
| 10 Oct. .. | Star .. | ..... | 3 |
| 16 .. | Elizabeth .. | ..... | 2 |
| 9 Nov. .. | City of Edinburgh | Capt. Pattison.. | |
| 10 .. | Speke .. | Capt. Tugston.. | 6 |
| 21 .. | Favourite .. | Mr. Fisk .. | |
| 25 .. | Halcyon .. | ..... | 6 |
| 21 Dec. | Admiral Gambier | Capt. Harrison | 1 |
| 29 .. | Endeavour .. | Mr. Davis .. | 3 |
| 31 .. | Porpoise .. | ..... | 1 |

RETURN of Vessels Cleared Outwards from Port Jackson during 1808.

1803

[Abstracted from *Sydney Gazette*.]

30 Dec.

| Time of Clearing. | Ships' Names. | | | Masters' Names. | Whither Bound. |
|-------------------|------------------------------|----|----|-------------------|--------------------------|
| 1808. | | | | | |
| 7 February.. | Elizabeth (brig) | .. | .. | ..... | Fiji. |
| 20 March .. | Jeannette | .. | .. | ..... | Fiji. |
| 14 April .. | Parramatta | .. | .. | Capt. Glynn .. | (Lost). |
| 20 " .. | Dart | .. | .. | Capt. Smith .. | England. |
| 22 " .. | Eliza | .. | .. | Capt. Grey .. | (Lost). |
| 2 May .. | Brothers | .. | .. | Capt. Russell .. | England. |
| 25 " .. | City of Edinburgh | .. | .. | Capt. Pattison .. | Norfolk Isl'd. |
| 9 July .. | Sarah | .. | .. | ..... | Fishery. |
| 28 " .. | Cumberland | .. | .. | ..... | The Fishery. |
| 8 August .. | Perseverance (Col. schooner) | .. | .. | ..... | Sealing. |
| 13 " .. | Dundee | .. | .. | ..... | Fiji and Pr. of Wales I. |
| 24 " .. | Eagle | .. | .. | ..... | Bengal. |
| 26 " .. | Pegasus | .. | .. | ..... | The Fishery. |
| 27 " .. | King George | .. | .. | ..... | The Fishery. |
| 31 " .. | Rose | .. | .. | Capt. Brecks .. | England. |
| 31 " .. | Estramina | .. | .. | ..... | Port Dalrymple. |
| 9 Sept. .. | Favourite (brig) | .. | .. | ..... | Fiji. |
| 14 " .. | Young William | .. | .. | ..... | Fishery. |
| 15 " .. | Rose | .. | .. | Capt. Brooks .. | England. |
| 15 " .. | Hero | .. | .. | ..... | Coast of Chili. |
| 26 " .. | Commerce | .. | .. | ..... | Fiji and China. |
| 30 " .. | Fox (brig) | .. | .. | ..... | Sealing. |
| 13 October .. | Seringapatam | .. | .. | ..... | Fishery. |
| 15 " .. | Santa Anna (prize) | .. | .. | ..... | England. |
| 15 " .. | Mercury (Colonial schooner) | .. | .. | ..... | Fiji. |
| 25 " .. | Recovery | .. | .. | ..... | New Georgia. |
| 26 " .. | Sinclair | .. | .. | ..... | England. |
| 1 November. | Porpoise (2nd) | .. | .. | ..... | Port Dalrymple. |
| 12 " .. | Albion | .. | .. | ..... | England. |
| 21 " .. | Star | .. | .. | ..... | The Fishery. |
| 23 " .. | Elizabeth | .. | .. | ..... | The Fishery. |
| 14 December.. | Favourite | .. | .. | ..... | Fiji and China. |
| 18 " .. | Elizabeth | .. | .. | ..... | China. |
| 19 " .. | Amethyst | .. | .. | ..... | The Fishery. |
| 23 " .. | Estramina | .. | .. | ..... | Pt. Dalrymple. |

RETURN of Vessels sailed from England to New South Wales in 1808.

[Abstracted from *Lloyd's List*.]

| Time of Sailing. | Ships' Names. | | Masters' Names. | Sailed from | Whither bound. |
|------------------|------------------|----|--------------------|---------------|----------------|
| 1808. | | | | | |
| 21 Jan. .. | Cumberland | .. | Capt. Swaine .. | Portsmouth .. | New Holland. |
| 21 " .. | Recovery | .. | Capt. Bacon .. | Portsmouth .. | Port Jackson. |
| 21 " .. | Sinclair | .. | Capt. Jackson .. | Portsmouth .. | Port Jackson. |
| 7 Feb. .. | Scorpion | .. | Capt. Bunker .. | Gravesend .. | N.S. Wales. |
| 28 " .. | Venus | .. | Capt. Dunn .. | Gravesend .. | N.S. Wales. |
| 4 Mar. .. | Speke | .. | Capt. Tugston .. | Deal .. | Botany Bay. |
| 13 May .. | Star | .. | Capt. Wilkinson .. | Portsmouth .. | Port Jackson. |
| 10 June .. | Æolus | .. | Capt. Cooper .. | Deal .. | Botany Bay. |
| 2 July .. | Admiral Gambier | .. | ..... | Portsmouth .. | N.S. Wales. |
| 2 " .. | Juno | .. | Capt. Goodspeed .. | Portsmouth .. | N.S. Wales. |
| 24 " .. | Duke of Portland | .. | Capt. Spence .. | Portsmouth .. | Port Jackson. |
| 4 Sept. .. | Boyd | .. | Capt. Thompson .. | Deal .. | N.S. Wales. |

1808

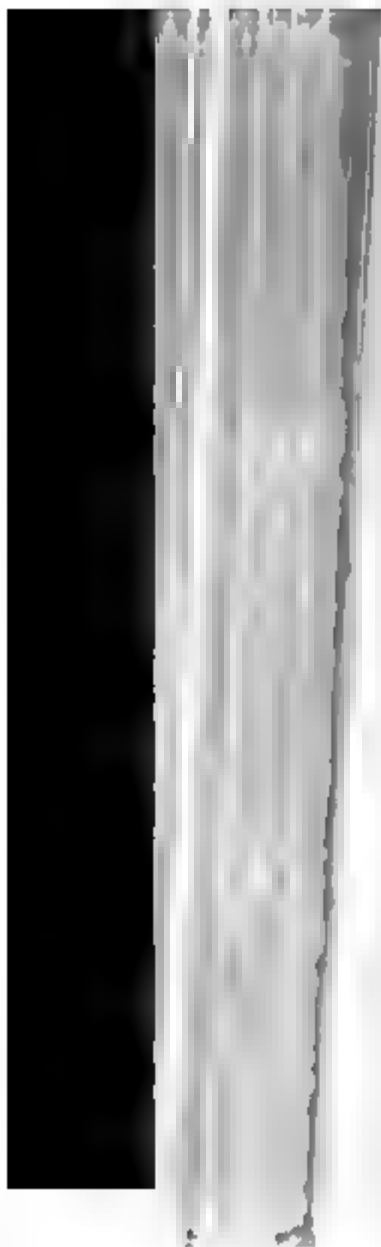
RETURN of Vessels arrived in England from New South W
during 1808.

30 Dec.

[From Lloyd's List.]

| Time of Arrival. | Ships' Names. | Masters' Names. | Place of Arrival. | From wh |
|------------------|----------------|--------------------|-------------------|----------|
| 2 May | Star | Capt. Wilkinson .. | Gravesend .. | N.S. Wal |
| 16 .. | Sydney Cove .. | Capt. Cooper .. | Gravesend .. | N.S. Wal |

APPENDICES.

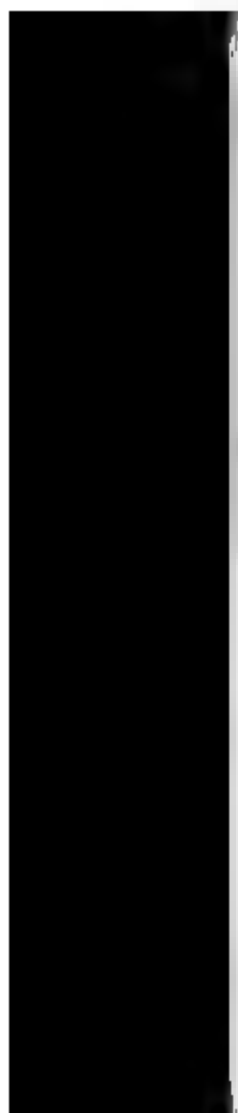




SYDNEY COVE, 1797

(From an Original Painting in the possession of the Hon. P. O. King, M.L.C.)





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APPENDIX A.

THE following letters were discovered by the Hon. Philip Gidley King, M.L.C., and kindly handed to me for publication. Unfortunately the volume was on the eve of being printed, and they could not be inserted at the places where, according to chronological sequence, they should have appeared. They are printed as an Appendix, and on the pages where they otherwise would have been printed reference notes have been inserted.—ED.

THOMAS ARNDELL TO GOVERNOR KING. (King Papers.)

1806

Sir, Hawkesbury, 1st March, 1806, 8 a.m.

1 March.

I beg leave to inform your Excellency that the river has risen as high as at any time since I have been at the Hawkesbury, and am sorry to add is still rising under continual rain; further advise of its progress shall be sent you as it becomes more dangerous, and in such case every exertion shall be used with boats to save life and property.

I remain, &c.,

THO'S ARNDELL.

THOMAS ARNDELL TO GOVERNOR KING. (King Papers.)

Sir, Hawkesbury, 2nd March, 1806.

2 March.

I have the pleasure to inform your Excellency that the waters are abating. Though not a general deluge, no doubt much corn is lost and damaged on all the low lands.

I remain, &c.,

THO'S ARNDELL.

THOMAS ARNDELL TO GOVERNOR KING. (King Papers.)

Sir, Hawkesbury, 9th March, 1806.

9 March

I am getting a return of damage done by the flood. From what I have seen the loss in maize at 20 bushels per acre will be about six thousand bushels.

I remain, &c.,

THO'S ARNDELL.

1806
19 March. THOMAS ARNDELL TO GOVERNOR KING. (King Papers.)
Sir, Hawkesbury, 19th March, 1806.

The continual rains and extreme bad weather does not only threaten us with returning floods, but keeps the whole settlement in such a state of backwardness that no preparations are or can be, made in cultivating the lands for the present seed time. Information shall be sent to you if the flood rises to any great height.

I remain, &c.,

THO'S ARNDELL

22 March. THOMAS ARNDELL TO GOVERNOR KING. (King Papers.)
Sir, Saturday, 22nd March, 1806, 6 a.m.

I am extremely sorry to inform your Excellency that the flood is now approaching to a very dangerous height. All the settlers are repairing to the high grounds as fast as they can be brought off. I need not dwell on a scene that will so much affect your feelings, but be assured every exertion shall be used. It is not quite so high as when Stockdale was drowned,* but threatens worse. Continual information shall be sent, if possible that the messengers can pass.

I remain, &c.,

THO'S ARNDELL

23 March. THOMAS ARNDELL TO GOVERNOR KING. (King Papers.)
Sir, Hawkesbury, Sunday, 23rd March, 1806, 6 a.m.

I am extremely sorry to inform your Excellency of the dreadful damage done by the flood, which is now ten feet higher than was ever known before, and rather increases a little yet. Some lives, as well as almost all the stock, wheat, &c., is lost, although every exertion has been used to save the people with all the boats we could get, and the whole exhibits a scene of horror and misery not to be described. An exact account of lives lost, of whom four are only known at present, and what damage done, shall be sent as soon as possible. I now send to know the state of Richmond and the Nepean. From the number of wheat stacks that went down the river whole, with different stock alive, some little may be saved out of the general wreck by boats and other means down the river.

I remain, &c.,

THO'S ARNDELL

24 March. THOMAS ARNDELL TO GOVERNOR KING. (King Papers.)
Sir, Hawkesbury, 24th March, 1806, 10 a.m.

I have to inform your Excellency that the great deluge mentioned in my last and former of the 22nd and 23rd instant is now abating, the damage of which is great beyond description, and at least, after all the exertion that can be made in saving the drifted stacks of wheat by spreading it out and drying them, it

* Stockdale was drowned in March, 1801.

there is men enough to do it, and the weather will permit it, the loss will be about half of all the wheat in these settlements, including the Nepean and Richmond, which has not suffered so much as the Hawkesbury. Little or no growing maize is left. I have been obliged to supply those in utter distress with two or three days provisions, which I hope you will approve of, until the water goes off their houses.

1806
24 March.

The loss of stock in horses, bullocks, sheep, goats, and pigs is very great, nor have I been able to learn the damage done about Portland Head and the lower farms.

I am, &c.,
THO'S ARNDELL.

REV. SAMUEL MARSDEN TO GOVERNOR KING.
(King Papers.)

Sir, Parramatta, 24th March, 1806.

I have seen two men, who were in this evening, who inform me the flood was never so high since the settlement was made as it is to day. One of the men tells me he left the Hawkesbury at 3 o'clock this day, and the water was then rising. Four persons he mentioned were drowned, a number of stacks were gone down the river, and one large stack, belonging to Mrs. ———* he saw had floated into the woods. I could learn no account of the state of the Nepean, nor yet of Richmond Hill. I am very apprehensive for their safety. I never saw it rain heavier than what it has done at Parramatta this afternoon. I intend to go out to the Hawkesbury to-morrow morning, in order to learn what I can, and see the state they are in. All the bridges are gone, both towards Toongabbie and Castle Hill.

I am, &c.,
S. MARSDEN.

THOMAS ARNDELL TO GOVERNOR KING. (King Papers.)
Sir, 25th March, 1806.

25 March.

I have to inform your Excellency that the water is going off fast; but have, with great anxiety, to say that most of the settlers, with their families, must be supplied from the store. I have just now sent a boat to the relief, as informed, of nearly two hundred persons that has been two or three days without anything, and some without clothing in the woods, for which purpose I have expended six bushels of wheat. I beg leave to mention that if boats and men are properly employed much may be saved. The water was within eighteen inches of coming into my house at Catty. The water was 5 feet over the rock the corner of the creek, from which you can judge the dreadful ravage that must have happened.

I remain, &c.
THO'S ARNDELL.

* Name illegible.

1806
26 March.

REV. SAMUEL MARSDEN TO GOVERNOR KING.
Sir,
Hawkesbury, 26th March, 1806.
I had intended to have left the Hawkesbury last night; but the place was in such confusion that I thought it would be better for me to remain to see what could be done to save the little wheat and maize that the flood has left. Many of the men here have behaved very ill, and this morning one of them refused to assist, and told me he would not work. He said he was a free man, and would not work. I immediately ordered him to be punished with as many lashes as Mr. Arndell thought he could bear, in the presence of the settlers and others, and informed all, both bond or free, whether settlers or no, that they should assist the distressed on pain of receiving the same if they refused. I found it necessary to appoint more constables, and to give each of them a warrant to confine all the men in their own district until they had relieved the most distressed, and to compell all, whether bond or free, to work. I have also directed them to strip the corn that is left standing, and leave it to dry upon the stem, and to pull the maize that broke down, and to bring it up to the Green Hills for the women and children to shell.

* * * * *

Though the distress in every part of the settlement is so great, yet nothing but force can make a great number here exert themselves, and many have even been busy in robbing the distressed of the few cloths they had saved. I shall seize all the boats that are at the Green Hills, and bring away the maize as fast as the people in different places can collect it.

I am, &c.,
S. MARSDEN.

P.S.—I would have wrote sooner, but expected to come in, and I was out all Monday night in the woods.

REV. S. MARSDEN TO GOVERNOR KING. (King Papers.)
Sir,
Hawkesbury, 26th March, 1806.
The following incorrect statement I transmit for your Excellency's information, containing a statement of part of what has happened and what we know :—

| | | | | |
|--------------|-----------------|---------|-------|-------|
| Men lost. * | Women lost. | Horses. | Oxen. | Pigs. |
| Henry Ash | Mary Kerry | 12 | 3 | 4,000 |
| Walter Scott | Eleanor Cooling | | | |
| James Barns. | | | | |

Thos. Leeson, with two women, two children, and three men, were all carried from his farm on a barley mow down to John Howard's, when Richard Wallis, with great difficulty, saved them

* In the statement which formed enclosure No. 3 to King's letters of 7th April, 1806 (ante. p. 64), the number of persons drowned is given as "2 settlers, 3 labourers, and 2 women."



in a boat in the dark, after having gone down the stream near seven miles. Andrew Thompson, in one of his own boats, saved the lives of 101 persons, which he took from off the tops of houses and rafts of straw. We had also two more boats employed in the same humane work ; but how many they took up is not known. Thos. Biggers, at the risque of his life, saved about 150 men, women, and children. Matthew Lock and Green were equally active. Thompson, from what he saw himself, says that about 200 stacks were carried down the river. A great number of goats and some sheep are gone. Williamson has lost everything but three bullocks—a horse, 300 bushels of wheat, 175 pigs. I have examined Mr. Palmer's stacks, and I think he has lost from one-third to one-half of his wheat. Many of the settlers have not a grain left, nor a place to put their heads in. I have never witnessed so much general distress ; but as there is no communication yet but by water, no certain account can be known. The Nepean is safe, except Mr. Chapman's corn. I have lost my brick barn and what wheat I had saved from the last flood. Some parts of Richmond have not suffered much. Three of the drowned persons are now lying at the Green Hills, being found since the water abated. The water now falls, and will soon be within its banks.

I am, &c.,

S. MARSDEN.

A SETTLER'S WIFE TO GOVERNOR KING. (King Papers.)

Hawkesbury, 26th March, 1806.

ON Thursday last there was several heavy showers ; the same evening the rain seemed to have set in. Friday being likewise very wet, the water did not begin to rise till night. About nine o'clock Mr. Evans went down to the lagoon, and it then had not the appearance of its having rose any. About half-past eleven I awoke and found the water almost up to the edge of our bed. Mr. Evans got the bed, with myself and children, up in the loft. Before daylight the water was in the loft, when we again moved in the heavy rain to the ridge of the house, and through the repeated firing of guns a man the name of Pat Partland came over the river bank with a boat and took us off the house to Baker's. We had not left the house a quarter of an hour before the whole was covered, and part taken away. It was with great difficulty we saved a bed, a few of our wearing apparel, and some papers of Mr. Evans's. After we had been at Baker's about half an hour the water was rising into the building, when we saw a boat coming, which proved to belong to Mr. Cox, who could not before then obtain a boat to come to our assistance. Mr. Cox brought us away from Baker's to his own house, where we now are. We was on the house three hours ; had we been left an hour longer we must have been drown'd, or perished with cold. It must be

1806
26 March.

1806
26 March.

Providence alone that sent the man to our assistance, his property at the same time floating off, besides the very great danger of himself and boat being dashed to pieces by logs in crossing the river. We think it our duty to inform you of our distress, as we have lost everything; pigs, goats, wheat, corn, and other valuables, are all gone, and have not yet found anything. We request your Excellency, if the grant is not made out for our children, to let us remove to some other safe part of the country. The whole of the farm was covered with water except a few acres on the high lands, and had we been there the whole of the grain and things growing would have gone, as we have not had the means of obtaining conveniences to draw our productions into safe situations. My love to Mrs. King and family. Our best wishes for you and family's health.

I am, &c.,
J. EVANS.

P.S.—The water began to fall yesterday, and is now going down very fast.

GOVERNOR KING TO REV. SAMUEL MARSDEN. (King Papers.)
[Extracts.]

27 March.

Dear Sir,

Sydney, 27th March, 1806, 8 a.m.

I am much obliged to you for remaining at Hawkesbury to assist Mr. Arndell in the present disastrous events that have befallen that settlement, and am much gratified at the intention you express of remaining there until it can be seen what can be saved from the general wreck. To assist you I have sent another magistrate, with four constables from Sydney, and four from Parramatta, which, with the General Order,* that either is or will be forwarded, I hope will prevent any backwardness in that general help being given which the case so imperiously demands. Your proceeding in punishing the wretch who refused his aid on so melancholy an occasion was extremely proper, and if any backwardness is discerned in any description whatever, I request you will report them on your return, and punish them on the spot if it is requisite. As a small recompense to Biggers and Thompson I have directed forty gallons of spirits to be reserved for each of them. The others who have distinguished themselves I shall not neglect some way or other.

Should Mr. Arndell or Thompson have any spirits, be so good to require it, and give drams or grog to such among the sufferers or assistants as you may see fit. I yesterday sent Beldon with two men. The instant the weather holds up, more shall be sent from Parramatta.

* * * * *

The necessity of my attending to get the despatches written for that ship [the Sydney] has prevented my being up; but under

* See the enclosure.

your management I am persuaded every exertion will be made that can be dictated by humanity, and which your arrangements are so well calculated to attain. On the melancholy losses you recite, I can only give my sincere condolences, and am afflicted that such things are; however, we must put our shoulders to the wheel. I have just received a tolerably exact statement from Nepean. Things are not so bad there; indeed, the losses are inconsiderable compared to those at the Hawkesbury.

1806
27 March.

I am, &c,
PHILIP GIDLEY KING.

[Enclosure.]

GENERAL ORDER.

27th March, 1806.

THE Governor is much concerned to find that in the present moment of general distress at the Hawkesbury any individual should so far forget the duties of humanity as to refuse a helping hand to succour the distressed. This conduct, His Excellency persuades himself, is confined to a very few.

As the necessity of saving as much of the individual property as possible, and particularly the wreck of the grain lost at Hawkesbury, is evident, it is hereby ordered that every person, whether bond or free, do assist in such exertions as the magistrates (viz., the Reverend Mr. Marsden, Thomas Arndell, and Charles Throsby, Esquires), and the principal constable may direct.

Any person offending herein shall be punished on the spot, if judged requisite, or their conduct shall be reported to the Governor, who will not fail in taking proper notice thereof.

GOVERNOR KING TO MESSRS. MARSDEN, ARNDELL, AND BAYLY.
(King Papers.)

Gentlemen,

Sydney, 1st April, 1806.

1 April.

In consequence of the inundation at the Hawkesbury, and the necessity of ascertaining the situation of the inhabitants of those districts, and their present resources for food, I have named you to proceed on that inquiry, and have to request you will make the strictest inquiries of each settler and landholder according to the accompanying form,* and obtain such other general and particular information as may appear to you necessary in order to make a distinction between the industrious settler (and the men they employ) and the idle, vicious characters with which that settlement abounds.

And as this service will necessarily draw you from your private concerns, you will be allowed one guinea a day for this duty during the time you are so employed.

I have, &c,
PHILIP GIDLEY KING.

* The "form" is not available.

1806

2 April.

GOVERNOR KING TO THE JUDGE-ADVOCATE AND BENCH OF
MAGISTRATES. (King Papers.)

Gentlemen, Sydney, 2nd April, 1806.

In consequence of the great scarcity occasioned by the inundation with which the agricultural settlements about the Hawkesbury has been deluged, which has destroyed almost all the wheat and a very great part of the maize growing at those settlements; and according to the present estimate there is not more than grain sufficient to last the inhabitants of these settlements longer than seven months at three pounds of bread a week.

In this exigency every measure of precaution has and will be attended to; but as the people victualled from the public store are put on a reduced ration, it is equally necessary that the private bakers should be restrained in the delivery of bread to individuals who are off the stores, which should be confined to a similar ration in proportion to the present, or as it may be hereafter reduced.

To accomplish this purpose, it appears to me that the most eligible mode will be that of licensing such bakers alone as you may think the greatest confidence can be placed in, and cause them to give security not to issue more than the weekly ration to those who are not maintained from the public stores, and not to issue any to those who are so maintained. For your guidance, I inclose a list of the bakers, and of the quantity of bread they were accustomed to bake.

I have, &c.,

PHILIP GIDLEY KING.

MESSRS. MARSDEN AND ARNDELL TO GOVERNOR KING.
(King Papers.)

[Extracts.]

5 April.

Sir,

Hawkesbury, 5th April, 1806.

* * * * *

In order to give you the fullest information respecting the state of that settlement (The Nepean), we visited all the farms this day upon the banks of the river, and examined what wheat the settlers had in their possession.

* * * * *

Some of them are objects of the greatest distress. There did not appear to us to be forty bushels of wheat thrashed amongst them all, even for their present use. We do not imagine that seventy bushels of wheat will be obtained from the whole of the Nepean settlement. There is very little forward corn amongst them. The stubble corn upon some of their farms promise to yield a good crop should the frost not set in early this winter.

To give your Excellency some idea to what an height the river rose, the whole of Thompson's Flat was under water, and in many places upon the long flat where the soldiers are settled the river overflowed the banks; and if we may judge from present experience

the whole of the settlement will be destroyed at some future period. Had the flood been only three feet higher, it would have been very destructive to many of the farms.

1808
5 April.

* * * * *

On Monday morning we intend to go down to the Branch. It appears from report that there are nine large stacks landed there, and that the settlers are thrashing out the wheat, and claim it as their own property. Some of the settlers up the river complain much of the conduct of the settlers at the Branch. Should there be time we should be happy to receive your Excellency's instructions about the wheat landed at the Branch, as the quantity saved is said to exceed 400 bushels. We have, &c.,

S. MARSDEN,
THO'S ARNDELL.

CAPTAIN ABBOTT TO EX-GOVERNOR KING. (King Papers.)

Sydney, New South Wales,

1308

Dear Sir,

13th February, 1808.

13 Feb.

Perhaps before you receive my letter you will hear that Gov'r Bligh was put under an arrest by Major Johnston by the wish of the officers of the colony and several of the most respectable inhabitants, and to be sent Home to answer to such charges as may be brought against him.

I certainly gave my hearty concurrence to the measure of arresting the Governor; but as there are several things done which I certainly disapprove, I am unwilling to take more blame upon myself than I am deserving of. All prosecutions, and dispossessing those officers who had acted under Governor Bligh of their quarters, &c., were points that I publicly gave a dissenting voice to.

You may, perhaps, expect I would tell you what Gov'r Bligh has done to merit a step of so extraordinary a nature being taken against him, as well as what I have to offer in my own justification for consenting to a measure of so serious and so dangerous a nature, all of which I should inform you of did I not know the circumstances would be made immediately public in England, and I trust and hope you will judge me with candour.* You may naturally conclude that, from my being the next officer in seniority to Johnston, that if I did not possess his confidence I am at least one of the *leading characters* and advisers of all the measures that have been carried on since the Governor's arrest; the fact is, that I am not, but considered as dissatisfied by the present *Ruler*, because I disapproved of several things in the early stage of the business. It was on the 26th January last the Governor was put under an arrest. I was at Parramatta at the time, where I had the command, but was to be relieved by the Governor's direction at my own request (some days before it had been resolved to arrest him)

* This letter did not reach England until after the death of ex-Governor King.

1808
13 Feb.

on the 27th. I can, therefore, up to this date know of little that is transacting. I should tell you that I was appointed to act as Judge-Advocate in the room of Mr. Atkins; but I declined the office. It was then given to Grimes. I may have an opportunity of relating to you my reasons. It was strongly urged, but I persisted in my refusal. I say, "I may have an opportunity," because I think it is likely several of us will be sent for, and particularly Johnston, who, had he followed the advice I gave him previous to his taking the step, that in that case—meaning of arresting the Governor—to send for Colonel Paterson immediately afterwards and to go Home with the Governor to account for his conduct, would shew that he had not done so to obtain the command instead of oversetting everything and styling himself Lieutenant Governor, which he has done. His seniority sufficiently established himself in the temporary command without assuming a title which none but His Majesty could confer.

As it is most likely you will see all the papers, there is one which was drawn up on the 27th January for me to sign on the 9th February, without date, thanking Johnston for arresting the Governor, and approving of the measures that were taken. I then in the presence of Capt. Kent and Lieut. Minchin, said, in signing it, the only measures I approved of was arresting Governor Bligh and to send him Home, and that in case a senior officer to the Major arrived, or Colonel Paterson, I was bound to support the senior to Johnston. It appears mentioning Col. Paterson gave displeasure, as an idea had been entertained he could not leave the government at Dalrymple. I hope the proper date to the letter I have alluded to may appear, viz., 27th January.*

I likewise objected to McArthur's trial since Governor Bligh's arrest, because the Governor could nor would not (as he had directed the same charges against McArthur) appear in any shape against him now, and that Mr. Atkins, the former Judge-Advocate, declined to prosecute. Under such circumstances the advantages were all on McArthur's side, and there were none left on the other. It would appear more like a mock trial than anything else; and that McArthur had furnished himself from the public papers which were taken from the Governor, by order of Johnston, with extracts of letters to Government, brought by McArthur as evidence in Court against the Governor, but used in his favour. This I really thought shameful, and there were several of my way of thinking. These objections I told Johnston, but the trial went on.

On the 8th of February the bellman gave notice that the inhabitants were requested to assemble at the church, at Sydney, at 8 o'clock that night. Some days previous a considerable quantity of wine had been landed. The consequence was that a vast concourse

* Doubtless this is the address printed on pp. 454 and 455, ante, and reproduced *fac-simile*.

1808
13 Feb.

of persons assembled, and of all descriptions, a great many in liquor. It was conducted (I declined going), as I was told, in a most disorderly manner—repeatedly shouting, propositions made that very few knew what they were till made.

A few days after the Governor was arrested a committee was appointed, myself one, to examine the Governor's papers; but after the second day it was suggested by the *Rulers* to take the private letters to examine. I refused to do so, and did not go any more. I have ever considered private letters sacred. I was unwilling to injure my character by such a step. I believe several were taken, and among them some of the Rev'd St. Marsden's, whom I fear has not only been an enemy to many officers, but a proper incendiary in the colony.

Mr. Wentworth has demanded a trial upon himself. This is in consequence of being furnished by the Ruler with an extract of a letter from Governor Bligh (who had suspended Wentworth) to the Secretary of State. How Johnston will be able to justify himself for granting this trial I am at a loss to conjecture; but it will appear more like mockery than anything else. I thank God I am not in it. The Governor has been refused the Porpoise, altho' he offered to go Home under an arrest in her, and a passage is to be taken for him in a private ship; yet the Porpoise is to go, nevertheless, to take Home an unaccredited individual and family—a person holding no situation under Government, but who, within these few days, has been appointed Colonial Secretary*—under the office of *delegate*, which the inhabitants gave him at the meeting held on 8th February, which I have mentioned before, bestows on him the preference of having His Majesty's ship.

Wentworth has had his trial, and has been honorably acquitted, and ordered to return to his duty. A Court of Vice-Admiralty is now sitting, at which I am officiating as Judge or President. Nine convicts who had taken the Marcia at the southward have been condemned to die, but the Major has pardoned them all. The cause now before the Court is the seizure of the American ship, *The Jenny*, for smuggling. The accusation appears to have taken place before her clearance. She was ordered to sea, but from her being badly stowed she returned to Broken Bay, where she was seized by Mr. Simmonds, who acts as captain of the Porpoise, and brought into this port. Another charge is taking away two convicts; but I think it is unknown to the officers, because she never would have returned, had that been the case, to this port.

The ship, *City of Edinburgh*, is taken up to complete the evacuation of Norfolk Island. This is what the Porpoise and Colonial vessels were employed about, and the Porpoise is to take McArthur and family Home.

* It is evident that Abbott was not very favourably disposed to Macarthur. It is obviously to him he so frequently and sarcastically alluded as the *Ruler*.

1808
13 Feb.

Had the Governor not been put under an arrest there would have been a mutiny ; there is no doubt of it. Never a body of men have behaved themselves more orderly and quiet than the Corps. There has not been a Court-Martial upon any one of them since 26th January, and this is 29th February,* nor before. They were highly incensed at the conduct of the Sydney constables, whom Mr. Gore put in . . . the worst characters—chiefly Irish Croppies.

* * * * *
The constables were really encouraged by Gore to insult the soldiers, and I am sorry to say the Governor connived at it.

The Court of Vice-Admiralty has given their verdict in favour of the American, except in the instance of the two British subjects who were found on board. This trial lasted ten days, and was lengthened from the numerous questions, and useless questions put by the agents for the prosecution—Macarthur and Blaxcell.

4th April.—Since I began writing my letter there has been several changes. The Porpoise sails in a day or two to bring Colonel Paterson up. The delegate, I believe, has now no idea of going to England, and I think the subscription for him is entirely withdrawn. I am extremely sorry for Johnston, who is a good-natured man, for having suffered himself, to the astonishment of everybody, to be led. . . . The Governor is not to go Home till the arrival of the Colonel. The troops are orderly and well-behaved. I mention this, as I think it is a circumstance that will give you pleasure. Respecting your farm and stock everything, I learn, goes on well. Harris and Grimes will without doubt tell you full particulars.

Yours, &c.,
E. ABBOTT.

CAPTAIN ABBOTT TO EX-GOVERNOR KING. (King Papers.)
[Extracts.]

4 Sept.

Dear Sir,

Sydney, 4th September, 1808.

* * * * *
Colonel Foveaux arrived on the 29th July last in the St. Clair. The Recovery transport had arrived a few days previously. The troops brought in those ships are mostly old men, worn out in the service—many blind, and otherwise maimed, and unfit for duty ; still the augmentation has been of some service both to officers and men. The number of privates previous to the arrival of the two ships were—in the colony, 498 ; and the Corps increased to 760 privates. I was much in hopes the Corps would have been increased to 1,000 privates, and to ten companies instead of eight to defend the Colony ; and to garrison the various settlements, a thousand men would not be too much. To complete the 760 privates, about 140 is expected in the next arrivals from England.

* Although this letter is dated the 13th February, and was no doubt commenced then, it was not finished until April. The Dart, the vessel it was sent by, sailed on 20th April, 1808.

Governor Bligh is still here under an arrest, which Colonel Foveaux has not felt himself authorised to take off, as representations had been sent Home before his arrival respecting that event; nor will he take upon himself to order the Governor Home, who is at liberty to make his own election; and I believe that is to stay.

1808

4 Sept.

The Estramina has been sent for Colonel Paterson, who is soon expected. I am extremely anxious to know the final determination of that very unpleasant though necessary step, for I have little doubt that a mutiny would have broke out had the Governor not been arrested.

The Corps is extremely obliged to you for the character you were pleased to give in England of it. Your General Orders, on your taking leave of your Government, has produced a very flattering mark of His Royal Highness the Commander-in-Chief's approbation, communicated to the Corps by Colonel Gordon. I can assure you that the Corps has continued to deserve your recommendations, and every day further strives to merit a continuance of applause. The officers and men are in a high state of discipline, and the men happy and contented. Johnston, on my removal to Sydney, was pleased in a great measure to leave the management of the regt. to myself, and Colonel Foveaux was so well satisfied as to flatter me with, possibly, a greater latitude on that head. My exertions has been to merit the approbation of the Commander, and to make the men happy and contented. I have the vanity to think I have succeeded. Foveaux makes an excellent Commanding Officer.

Harris is about to have permission to return to Europe. He is only waiting to hear from Colonel Paterson, who had before given him a conditional leave. As he goes, I accepted to be your agent until we hear from you. Be assured I will do anything to serve you. My breast, I thank God, is incapable of harbouring resentment. Our difficulties are made up; I am Capt. King's friend.

Williamson is suspended by Colonel Foveaux. Mr. Fitz is put into Jamieson's place as Government stock-keeper. Tom Arndell is retired to Catti; and Mr. Bell, of the Corps, has the charge of the Hawkesbury—a well-informed, mild, gentlemanly man; he has eight children. Wilshire is appointed to act in Williamson's place. Mr. Finucane acts as Secretary to Colonel Foveaux, in the room of McArthur.

These are all the changes since my last to you. The colony is quiet. There is no money. No Government bills have been drawn since the Governor's arrest, except about £400. A quantity of wheat has been sent, and meat, to the southern settlements.

* * * * *

Yours &c.,
E. ABBOTT.





SYDNEY COVE, *Cove*, 1804

(From an Original Painting by G. W. Evans.)

1805

King's Town, 15th July, 1805.

15 July.

I AM sorry to learn several of the prisoners in this settlement have so far forgot themselves as to make use of most improper and abusive language to the overseers and watchmen whom I have thought proper to place in those situations ; but they may rest assured, should such very improper conduct be continued, I will not fail to punish the delinquent or delinquents in the most exemplary manner, as I shall ever consider any abuse given either to a watchman or overseer in the execution of my orders as given to myself.

And should any one of the prisoners be illtreated by either one or the other, they are immediately to make known such illtreatment to me, when they may depend on having such redress as the case may require.

Given under my hand, &c.

C. THROSBY.

Commandant Throsby to Mr. Sutton.

2 Aug.

Mr. Sutton,

King's Town, 2nd August, 1805.

You will commence issuing to-morrow morning ten pounds of wheat and six ounces of sugar ; women and children in proportion.

Given under my hand, &c.

C. THROSBY.

3 Aug.

King's Town, 3rd August, 1805.

It is my positive directions that the overseers, constables, storemen, women, and prisoners of every description are put in messes of at least four in each.

Given under my hand, &c.

C. THROSBY.

Commandant Throsby to Mr. Sutton.

26 Aug.

Mr. Sutton,

King's Town, 26th August, 1805.

As a correct invoice of the salt to be sent to Sydney by the Governor Hunter, or any other vessel that may be sent here for it, should be sent to the Commissary, it will [be] necessary you should attend with the cooper and Bradey at the packing of it, and great care should be taken that the casks are well filled and packed.

And as the freight of the vessel is to be paid by a shilling per bushel of sixty pounds, it will be necessary to mark the weight of each cast on its head.

A counterpart of the invoice I must also have, for the purpose of sending to His Excellency the Governor-in-Chief.

Given under my hand, &c.

C. THROSBY.

30 Aug.

King's Town, 30th August, 1805.

THE storekeeper is directed to issue one suit of slops to each person, agreeable to the list with which he is provided ; and as some persons here must unavoidably wait for the receipt of their proportions until I am enabled to make a report to His Excellency

of the exact number deficient, I have, therefore, endeavoured to select those persons who have appeared to me most in want of them to be placed at the head of the list.

1805
30 Aug.

And His Excellency the Governor-in-Chief having informed me he will make up the deficiency by the first conveyance, those persons who are unavoidably left out in the present issue shall receive theirs the moment they are sent from Sydney.

Given under my hand, &c.

C. THROSBY.

Commandant Throsby to Mr. Sutton.

Mr. Sutton, King's Town, 3rd September, 1805.

3 Sept.

You will not allow Bradey to go near the store as an assistant again, he having this morning been very insolent to me in the presence of Lieut. Symons. Any other man whom you think will answer in his stead you may have, if can be spared.

Given under my hand, &c.

C. THROSBY.

Commandant Throsby to Mr. Sutton

Mr. Sutton, King's Town, 21st September, 1805.

21 Sept.

You will issue the regulated proportion of maize in lieu of six ounces of sugar.

Given under my hand, &c.

C. THROSBY.

Commandant Throsby to Mr. Sutton.

Mr. Sutton, King's Town, 21st September, 1805.

If you have only issued 2 pounds of maize in lieu of six ounces of sugar, you will make up that deficiency as early as possible by issuing one pound more.

The Treasury ration is 3 lbs. of maize in lieu of six ounces of sugar, and I certainly conceive it very extraordinary, after having done duty of storekeeper such a length of time, you should be ignorant of the regulated proportion, as expressed in the Order of this morning.

Given under my hand, &c.

C. THROSBY.

King's Town, 27th September, 1805.

27 Sept.

FROM the great destruction made amongst the wheat by the fly-moth and caterpillar in every part of the colony, I do not conceive myself justified in issuing an extra proportion of that grain.

The storekeeper is, therefore, directed to commence issuing to-morrow morning 10 lbs. of wheat only (for each full ration) until some maize or sugar is received from Sydney, when the deficiency of those articles shall be immediately made up.

Given under my hand, &c.

CHAS. THROSBY.

Commandant Throsby to Mr. Sutton.

King's Town, 15th October, 1805.

15 Oct.

IN consequence of this settlement having been left without oil a considerable time, and by which delays in the service was

1806 occasioned, you will, therefore, not issue
 15 Oct. quantity, to any person whatever, from
 my written order to that effect.
 Given under my hand, &c.

Commandant Throsby

16 Nov. Mr. Sutton, King's Town
 Complaints having this day
 soldiers and others that the wheat is
 very dirty a state as to occasion a lo
 man's ration, I therefore direct you
 sifted prior to its being issued, as you
 be the intention of Government to issue
 I consider its being issued in the sta
 with no other view than to throw th
 or to create murmur amongst the pe
 And as I am determined never to
 which may happen in this settlement
 make him acquainted with the steps
 opportunity.

Given under my hand, &c.

1806 *Commandant Throsby*
 3 Jan. King's

THE storekeeper is directed to comm
 ing, the following full ration, vi'z't:—
 5 lbs. of wheat, 6 lbs. of maize meal,
 and military—4 lbs. of pork, 4 lbs. of
 and 6 oz. of sugar.

Given under my hand, &c.

Commandant Throsby

31 Jan. King's
 THE storekeeper is directed to comm
 ing, to civil, military, and prisoners, &
 further orders, vi'z't:—8 lbs. of wheat
 pork.

Given under my hand, &c.

Commandant Throsby

7 Feb. King's
 FROM the reduced quantity of grain
 stores in this settlement, I am under
 ration of wheat (to 8 lbs. only), whic
 to commence issuing to-morrow morn
 Given under my hand, &c.

Commandant Throsby to Mr. Sutton.

1806

King's Town, 8th February, 1806.

8 Feb.

HAVING observed the constable attendant on the store take away buckett of salt, which I have no doubt is intended for improper purposes, it is, therefore, my directions you do not issue any salt, however small the quantity, without my written order for that purpose, from myself downwards.

Given under my hand, &c.

C. THROSBY.

Commandant Throsby to Mr. Sutton.

King's Town, 14th February, 1806.

14 Feb.

THE storekeeper is directed to issue, to-morrow morning, the weekly ration, agreeable to the Order of the 3rd of January, 1806.

Given under my hand, &c.

C. THROSBY.

Mr. Throsby to Mr. Sutton.

King's Town, 28th February, 1806.

28 Feb.

THE storekeeper is directed to commence issuing to-morrow morning, to civil, military, and prisoners, the following full ration—vizt., 8 lbs. of flour, 4 lbs. of pork, and 6 oz. of sugar.

Given under my hand, &c.

C. THROSBY.

Mr. Throsby to Mr. Sutton.

King's Town, 10th January, 1806.

10 Jan.

THE storekeeper is directed to commence issuing, on Saturday ensuing, the weekly ration, agreeable to the Order of 3rd of January, 1806.

Given under my hand, &c.

C. THROSBY.



INDEX.

Captain E.

New South Wales Corps and Loyal
ion, 73, 183, 184, 316.

covery of illicit still, 85.

hority of magistrates, 104.

nd to, 134.

at Parramatta, 140, 316.

ntworth reprimanded for disobedience
14, 329.

ted by, 333.

rps, 403.

ve stock of, 406.

Judge-Advocate, 452.

by Grimes, 458.

magistrate by Johnston, 511.

unt at Parramatta, 611.

ore, 648.

o Major, 817.

—

84.

inston, 600.

ess to Patterson, 597.

See "Natives."

65, 188, 190, 237, 254, 257, 410, 677.

6.

n, 434, 454, 458, 534, 597, 677.

1, 596, 635-7, 677.

agh, 802.

ess to Governor Bligh, 237 (note).

Cambier, The

818.

See "Pole, W. W."

he Little William, 128.

e

f, 37, 38, 39, 133, 134, 135, 174, 279,

fly-moth, 37, 114, 115.

lrymple, 121.

of Government, 153.

grain, 199, 246.

133, 279, 809, 406.

f farming, 351.

See also "Wheat."

Aiken, J.

leaving the colony contrary to orders, 109.

master of the King George, 272.

Aitken, J.

signs address to Governor Bligh 189.

Aken, John

carried Flinders' charts and journals to England,
106.

Albion (ship)

arrival of, 234, 271, 404.

departure of, 235, 806, 272, 405, 819.

Alexander

transport ship, 46.

arrival of, 234.

departure of, 235.

Allen, James

witness in case of Tetley and Lye v. Short, 215.

lent by Captain Short to work in gardens of
Fitz and Luttrell, 213.

Allwright, R.

signs address to Governor Bligh, 237 (note).

Alt (late Surveyor-General)

allowance to, 233.

land and live-stock of, 408.

America

competition of, in the fisheries, 40.

spirits from, 41.

Amethyst, The

arrival of, 404.

departure of, 405, 819.

Anderson, Lieutenant

officer of the New South Wales Corps, 184.

Ann, The

transport ship, 20.

arrival of, 819.

Appledore, T.

signs address to Governor Bligh, 192, 237 (note).

Apples

cultivation of, 296.

Apricots

cultivation of, 296.

Apsey, J.

occupier of house on Crown reserves, 275.

letter to, from Johnston, 454.

Argo (ship)

arrival of, 125, 234.
departure of, 126, 235.

Argument, The

Colonial vessel, 128.

Arndell, T.

appointed to inquire into loss at Hawkesbury
floods, 52, 53, 54, 64.
magistrate at the Hawkesbury, 141, 173, 176
(note).
signs addresses to Governor Bligh, 237 (note),
257, 411.
land and live stock, 408.
examination of, after Bligh's arrest, 439.
signs address to Patterson, 597.
signs petition to Castlereagh, 804.
letters from—
to King, 22, 30, 51.
to Bligh, 532.
to Bligh's secretary, 574.

Assignment System

description of, 152, 153, 186.

Atkins, R. (Judge-Advocate)

on the Governor's power to Court-Martial
marines, 15.
appointment of, as Captain Commandant of
Sydney Loyal Association, 91.
on the authority of magistrates, 104.
magistrate at Sydney, 140, 306.
signs address to Governor Bligh, 166, 411.
signs address to Governor King, 167.
at Court-Martial on D'Arcy Wentworth, 316.
and Bligh, 341.
Bligh's charges against, 355.
dispute of, with Macarthur, 395 *et seq.*, 411, 412,
413, 418, 419, 435, 438.
land and live stock of, 406.
Macarthur's protest against, 422.
memorial of, to Bligh, 430.
examination of, after Bligh's arrest, 444.
dismissal of, 453.
evidence of, at trial of Macarthur, 467.
and Macarthur, 577.
warrant of, for Macarthur's arrest, 610.
disputes of, with Macarthur, 611.
trial of Macarthur—Court refuses to sit with, 613.
re-appointed Judge-Advocate, 812.
letter from—
to King, 15.
to Macarthur, 412, 418, 419, 471.
letter to—
from Macarthur, 418, 419, 406.

Atlantic (ship)

arrival of, 125, 234.
departure of, 126, 235.

Aurora (ship)

arrival of, 125, 234, 404.
departure of, 126, 235, 405.

Austin, J.

signs address to Governor Bligh, 191.

Bader, J.

master of the Argo, 125, 126, 234, 235.

Badgery, J.

signs address to Governor Bligh, 191.

Baker, W. (settler)

signs address to Governor Bligh, 257.

Baker, Wm. (storekeeper)

examination of—Bligh and public store,

Bakers

licenses of, 57.

Baldwin, H.

signs address to Paterson, 597.

Ball, J.

signs address to Governor Bligh, 189.

Balmain, W.

live-stock sold to Government by, 12.

Bampkin, J.

private in the New South Wales Corps.

Banks, Sir Joseph

on the labours of Brown and Bauer,
relations of, with British Ministers, 3.
remarks of, on state of the colony, 8.
rumour of his death, 107.
observations on a bill relative to colonial
health of, 187.
praises King, 187.
procures order for release of Flinders,
relations of, with Macarthur, 691.
comments of, on Macarthur, 693.
pensions Caley, 705.
influence of, with Admiralty, 705.
declining health of, 706.
letters from—
to Secretary Marsden, 16.
to Kent, 31.
to Waterhouse, 100.
to King, 187.
to Caley, 704.
to Bligh, 705.
to Mrs. Bligh, 816.
letters to—
from Captain W. Kent, 25.
from Flinders, 48, 116, 207, 273, 274.
from Caley, 65, 685, 795.
from Wilson, 100.
from Waterhouse, 110.
from Secretary Marsden, 118.
from R. Brown, 268.
from Mrs. Bligh, 417, 461, 814.
from Bligh, 378.
from Mrs. Flinders, 564.
from Paterson, 767.
from Cooke, 815.

ster, B.
ess in case of Tetley and Lye v. Short, 214,
7.

—
eon on the Duke of Portland (transport),
9.

cks
urse of erection, 341, 806.
ition of, 164, 734.

llier, Lieutenant
eyor, 75, 171.
r of New South Wales Corps, 184.

n, W. B.
ess in case of Tetley and Lye v. Short, 212,
1, 220.

Samuel
inted magistrate, 109.
e-Advocate, 256.

, Ferdinand
on board the Investigator, 11, 16.

, J.
of, at Hawkesbury flood, 54.
address to Paterson, 597.

N.
nted to inquire into loss at Hawkesbury
ds, 52.
r of New South Wales Corps, 184, 408.
nted secretary to Johnston, 453, 587.
ment of, 817.
s from—
Bligh, 520, 540, 544, 545, 547, 548, 566, 567,
39, 570, 594.
to—
n Johnston, 600.

nment plant to be leased, 40.
ver appointed, 72.
es in brewing, 295, 357.

, George
ice of, against Wentworth, 370.

address to Governor Bligh, 191.
in Court-Martial on D'Arcy Wentworth,

nd live-stock of, 367, 406.
n Corps, 403.
ted magistrate, 453.
from—
ohnston, 600, 655.

, D.
of the Lucy, 125, 272.

, R.
of the Santa Anna, 234.

Bergeret, Capt.
promises to endeavour to obtain release of
Flinders, 208.

Bevan, David
appointed vendue-master, 811.

Biggers, T.
signs address to Governor Bligh, 191.

Birnie & Co.
owners of the Star, 125, 126, 272.
owners of the Commerce, 271, 272.

Birnie, J.
master of the Star, 125, 126.
master of the Commerce, 271, 272, 273.

Blackmore, William
deposition of, 589.

Blaxcell, G.
acting-secretary to Governor King, 59.
at Hawkesbury, 54.
owner of the Hope, 128.
part owner of the Elizabeth, 128.
in the coal trade, 306.
bail for Macarthur, 429, 433.
appointed magistrate, 453.
letter to—
from Johnston, 600.

Blaxland, G.
sale of Government cattle to, 71, 113, 147 and
note, 303, 308, 366.
dispute between the commander of the Pitt and,
97, 304 and note.
settles in New South Wales, 113, 117, 147, 183
(note), 301, 303.
grant of land to, 134, 146.
compares English and Colonial cattle, 156.
copy of order relative to agriculture, sent to, 174.
purchases premises at corner of George and
Market Streets, Sydney 303 (note), 311.
purchases cattle from Fleming, 303.
charges of, against Governor King, 303, 304 and
note.
milk-vendor and butcher, 311, 354.
opposes Johnston, 586.
letters from—
to Chapman, 301.

Blaxland, J.
settles in New South Wales, 117, 183 (note), 300,
306 *et seq.*
grants of land to, 134, 366.
bearer of letter from Sir Joseph Banks to King,
183, 310, and note.
part owner of The Brothers, 183 (note), 271, 272.
purchases premises at corner of George and
Market streets, Sydney, 303 (note), 311.
milk-vendor and butcher, 311, 354.
charges of, against Governor Bligh, 317.
assigned servants of, 354.

Blaxland, J.

appointed magistrate, 452.
opposes Johnston, 586.
claims of, 631, 741.
dispute of, with master of *The Brothers*, 631.

Bligh, Mrs.

letters to—
from her husband, 756, 790.
from Banks, 816.
letters from—
to Banks, 417, 461, 814.

Bligh, William (Governor)

his voyage out, 31.
disputes with Short, 32, 46, 47, 55, 74, 81, 83, 174, 229, 236 (note), 254, 415, 705.
rumoured appointment as Governor, 67, 106.
succeeds King as Governor, 118, 119, 165, 175, 185.
assumes command at Sydney, 118, 119, 165, 167-8, 175, 185.
addresses to, from inhabitants, 165, 188, 190, 237, 254, 257, 410, 608.
reply to address from inhabitants, 166.
relations between Flinders and, 207 and note, 274 and note.
commission of, as first Captain of the *Porpoise*, read at sea, 214 *et seq.*
opposed to liquor traffic, 249, 253, 803.
farm owned by, on the Hawkesbury River, 262 and note, 267, 270, 307, 312 and note, 346, 389 *et seq.*, 410, 447, 450, 531, 661.
recalls a large number of ticket-of-leave men into Government employ, 292.
imports nectarines into the colony, 296.
Luttrell's comments on, 296.
refuses to grant land to Dr. R. and Captain J. Townson, 287, 299.
charges against—
by Townson, 300.
by Fitz, 305, 674.
by J. Blaxland, 312.
by Wentworth, 313.
by Jamison, 328.
by Minchin, 331.
by Harris, 336 *et seq.*
by Townson, 570.
by soldiers, 583.
troubles with the military, 239, 588, 589, 652-5, 682.
Johnston's first disagreement with, 339, 652.
and King compared, 341, 343.
relations of, with Johnston, 346.
reports progress to Government, 349 *et seq.*
suspends Wentworth, 308.
reports to Banks on state of colony, 378 *et seq.*
live stock of, 392.
measures of, approved by Government, 393, 399 *et seq.*
cancels Macarthur's lease, 413, 414, 416, 417, 751.
rumours in England concerning recall of, 417, 461, 815.

Bligh, William (Governor)

Banks's confidence in, 418, 816.
refuses to interfere in Macarthur-Athin 420.
refuses to uphold challenge against A1 requests Johnston's presence at Go House, 427.
calls upon members of Court to attend: ment House, 433.
informs Johnston of charges of treason officers, 433.
arrest of—
requisition to Johnston, 434.
public meeting, 512, 625, 667.
Gore's comments on, 551 *et seq.*, 64.
Marlborough's deposition, 575.
Johnston reports to Government, 6 bonfires and illuminations at Sydney procuring signatures to addresses, 6 Bligh's own account, 607-23, 629, 65 disloyal signboards, 670, 692.
remarks by Fulton, 695 *et seq.*
Foveaux's report to Paterson, 736.
Paterson's report to Banks, 767.
settlers alarmed at, 803.
proceedings consequent upon arrest of, consults Crossley, 435 *et seq.*
alleged appropriation of stores, 446 *et* correspondence with Johnston consequent arrest, 455 *et seq.*
departure of—dispute concerning, 516 *et seq.*, 546, 564-69, 583, 593 *et seq.* 664, 783, 786, 789, 792.
witnesses for England required by, 32 Campbell's account of the colony and claims possession of H.M.S. *Porpoise* 792 *et seq.*
refuses to embark in the *Dart*, 544.
witnesses and servants of, 547.
Collins on the arrest of, 573.
Whittle's complaints concerning, 588.
Macarthur on the arrest, 594.
Gore's comments on the colony under strictures of, on Macarthur, 608.
on the trial of Macarthur, 613 *et seq.*
his papers seized, 619, 620, 624, 627 674.
popular with settlers, 627, 676, 684.
sends despatches secretly by *The Broth* 681.
Caley's remarks upon arrest of, 685 *et* appeals to Paterson, 701, 711, 763.
informs Paterson of his arrest, 761.
reports arrival of Foveaux, 710.
sentinels placed over, 711.
appeals to Foveaux to reinstate him, 729, 736.
Tench's comments on, 723.
principal advisers of, 736, 754.
refuses to acknowledge Foveaux's letters, 749.
Foveaux's account of his administ arrest, 750.

m (Governor)

holds, 751.
communicate with naval officers,

with Kent,
res to reinstate,
mand of Porpoise, 783.
Sydney under Foveaux, 787.
on for reinstatement of, 804.
arrest Paterson, 813.
of his retaining Governorship, 815,

agh, 46, 55, 607, 657, 681, 709, 748,

, 46, 81, 208.

n, 174, 175, 199, 246, 259, 287, 349, 368.

11.

10, 233.

, 323.

78.

383.

l Court, 425, 426, 427, 433.

n, 427, 433, 542, 544, 545, 546, 547,
567, 568.

y Pole, 629.

i, 701.

i, 712, 713, 714, 715, 716, 717, 719,
749, 791, 792, 794.

4, 715.

55.

756, 799.

, 74, 83, 211, 223.

ham, 117, 224, 229, 238.

120, 169, 171.

ereagh, 204 (note), 397, 399, 532.

y, 209.

209, 210.

son, 260, 763.

ompson, 262, 267, 270, 307, 389, 410.

& Co., 277.

worth, 328.

thur, 395, 411, 413, 419.

e, 398.

iton, 431.

bell, 528.

, 529, 540, 544, 545, 547, 548, 566,
570, 594.

enant-Governor Collins, 573.

er, 580, 721, 800.

son, 606.

on, 637.

n, 639.

644, 648, 650.

i, 702.

i, 705.

ux, 713, 714, 715, 716, 717, 718, 719,
749, 791-95.

720.

bell, R., 761.

Boatbuilder and Shipwright
duties of, 139.**Bodie, A.**

master of the Elizabeth, 405.

Bohan, William

Assistant Surgeon in Corps, 403.

Bond, N. (Judge-Advocate General)

letter from—
to Duke of York, 70.

Boronia

discovery of new species of, 799.

Botany

Australian, 11, 17 *et seq.*, 269.

new species of Boronia, 799.

See also "Brown, Robert"; "Rauer,
Ferdinand"; "Caley, George."

Bougainville, M. De

obtained order for Flinder's release, 188.

Bowen, John.

Commandant at Hobart, 14.

Bowman, J.

presents address of Hawkesbury settlers, 191.

signs address to Bligh, 411.

signs address to Paterson, 597, 636.

signs petition to Castlereagh, 804.

Bowman, J.

witness in case of Tetley and Lye v. Short, 218.

Bowman, W.

signs address to Governor Bligh, 192.

signs petition to Castlereagh, 804.

Boyce, Captain

dispute between, and Gregory Blaxland, 97, 98
(note), 304.

commander of the William Pitt, 125, 126, 304
(note).

Boyd.

massacre of crew of, 8 (note).

Brabyn, Lieutenant J.

officer of New South Wales Corps, 184.

sitting in Court-Martial on D'Arcy Wentworth,
316.

rank in Corps, 403.

land and live-stock of, 406.

member of Court at Macarthur's trial, 422.

promoted to captaincy, 817.

Bradley, T.

signs address to Governor Bligh, 189.

Braithwaite, Lieutenant

sale of merino sheep, 109, 111.

house built by, on Garden Island, 170.

Bramwell, J.

deposition of, 589.

- Bridges**
over South Creek, 27.
- Britannia (ship)**
wreck of, 192.
arrival of, 125.
departure of, 235.
- Bromley, R.**
master of the Hope, 271, 272.
- Brookes, R.**
master of the Alexander, 234, 235, 291.
letters to—
from Finucane, 742-45.
letters from—
to Finucane, 742-45.
- Brothers, The (ship)**
arrival of (at Sydney), 125, 271, 312.
departure of, 272, 630 (note), 672, 619.
arrives in England, 770.
- Broughton, William**
Deputy-Commissionary, 806.
- Brown, A.**
witness in case of Tetley and Lyne v. Short, 212.
- Brown, Robert**
his researches in Australia, 11, 16, 208.
letter from—
to Dr. Smith, 10.
to Sir Joseph Banks, 208.
- Budge, W.**
letter on the Short-Bligh dispute, 224.
- Buffalo, H.M.S.**
voyages and services of, 3.
King's ship, 127.
- Buildings at Sydney**
valuation of, 162.
situation and description of, 163.
See "Public Works."
- Bunker, E.**
master of the Elizabeth, 125, 225, 271, 272, 404.
land grant to, 402.
- Burges, T.**
signs address to Governor Bligh, 182.
- Burke, M.**
suspected of being connected with attempted
insurrection of Irish convicts, 200, 328.
- Burne, E.**
signs address to Governor Bligh, 237 (note).
- Burt, A.**
signs address to Governor Bligh, 180.
- Bushel, P.**
signs address to Paterson, 507.
- Byrne, H.**
suspected of being connected with an
insurrection of Irish convicts, 200, 1
- Cable & Co.**
See "Kable & Co."
- Caen, General De.**
and the detention of Captain Flinders
isle of France, 29, 42, 104, 205, 272;
letters to—
from Flinders, 29, 42.
- Calcutta, H.M.S.**
voyages and services of, 9, 12.
cattle imported by, 34.
- Caley, G.**
explorer, 171, 186 and note.
his account of the arrest of Bligh, 685
open letter from, to Major Johnston, 6
pensioned by Banks, 705.
condemned by Banks, 706.
his relations with Johnston, 726.
comments of, on Foveaux, 707.
botanical labours of, 720.
letters from—
to Banks, 65, 685, 705.
letter to—
from Banks, 704.
- Calver, F.**
witness in case Tetley and Lye v. Short,
- Camden, Earl**
recommends Macarthur, 22.
succeeded by Castlereagh, 34 (note).
instructions about grant of land, &c., to
Bligh, 174 (note).
promises a grant of 2,000 acres to J. 1
226.
letters to—
from King, 20, 26, 34, 50.
- Campbell & Co.**
Captain W. Wilson, agent in London
(note).
owners of the Perseverance, 145.
owners of the Sydney, 125, 126.
owners of the Elizabeth, 125, 225, 271, 1
owners of the Venus, 125, 126.
owners of the Sophia, 125, 126, 225.
attempt to introduce spirits contrary to
ment Orders, 229.
owners of the Albion, 224, 226, 271, 272
owners of the Perseverance, 272.
- Campbell & Hook**
owners of the Duchess of York, 271, 27
- Campbell, W.**
master of the Harrington, 272.
- Campbell, E.**
owner of the Venus, 90.
purchases cargo of seal-skins and oil, 11
purchases garden ground from Captain
house, 170.

Campbell, R.

cattle sold to Government by, 123.
 shipbuilding in Sydney, 128.
 signs address to Governor Bligh, 237 (note), 411.
 Naval Officer, 266, 305, 312, 343.
 magistrate, 266, 306.
 on the powers of the Governor, 278 (note).
 orders seizure of Macarthur's still, 332.
 friendly with Bligh, 339.
 examination of, after Bligh's arrest, 438.
 dismissal of, by Johnston, 453.
 evidence of, at Macarthur's trial, 493 *et seq.*
 account of the colony under Bligh, 528.
 letters from—
 to Bligh, 528, 761.
 letters to—
 from Macarthur, 334.

Campbell, R., junior
 Macarthur v., 332.

Cannibalism

in New Zealand, 6.

Canterbury, Archbishop of

letter to, from Bishop of Derry, 276.

Castle Hill

public works at, 43.

Castlereagh, Lord

succeeds Hobart, 34 (note).
 orders of, *re* cattle for G. Blaxland, 71.
 succeeded by Windham, 120 (note).
 memorial of Assistant-Surgeon Savage submitted to, 204 (note).
 letters from—
 to Bligh, 204 (note), 397, 399, 532.
 to Wentworth, 314 (note).
 to Paterson, 778.
 to Duke of York, 778, 813.
 to Nightingall, 812.
 letters to—
 from Bligh, 46, 55, 607, 657, 691, 709, 748, 787, 807.
 from Maum, 76 *et seq.*
 from Collins, 94, 598, 726.
 from King, 112, 113, 641, 782.
 from Paterson, 120, 538, 759.
 from Osbourne, 231.
 from Wentworth, 313, 314.
 from Jamison, 328.
 from Gore, 371, 551, 602.
 from Marsden, 383.
 from Dr. Townson, 570, 733.
 from Johnston, 575, 590, 593, 630.
 from Duke of York, 651, 782.
 from Fulton, 695.
 from Foveaux, 728, 739, 742, 806.
 from Mrs. King, 781.
 from Earl Fitzwilliam, 800.
 from Nightingall, 810.

Cattle

See "Live Stock."

Cattle, Wild

Macarthur's proposals for capture of, 23, 26, 218.
 utilisation of, 172, 358, 740.
 preservation of, 186.
 King's claim to, 541.

Cedar

procured at Hunter River, 9, 129.
 charges on import of, 574.

Ceres (ship)

departure of, 126.

Chace, S.

master of the Venus, 125, 126.

Chaplains

duties of, 137.

Chapman (Under-Secretary)

letters to—
 from G. Blaxland, 301.
 from Fitz, 305.
 from Cowper, 647.
 from Foveaux, 749, 804.

Chapman, W. N.

sheep sold to Government by, 123.

Charlotte, The

Colonial vessel, 128.

Chase & Co.

owners of the Harrington, 272.

Chase, P.

master of the Criterion, 92, 125, 126.

Chauker —

special constable at Hawkesbury, 54.

Children

legitimate and illegitimate, 151, 102.

China

trade with, 89, 101, 671.

Cider

made from peaches, 69, 222, 357.

City of Edinburgh (ship)

arrival of, 612, 818.
 departure of, 819.

Cleghorn, Surgeon

witness in Court-Martial on D'Arcy Wentworth, 320.
 succeeds Wentworth as Senior Assistant-Surgeon at Parramatta, 320, 325, 329.

Climate

mean temperatures at Sydney, 353.
 of Van Diemen's Land, 67, 122.

Coal

- the export trade, 90.
- exported from Newcastle, 129, 130.
- duty on, removed, 533.

Coal River

See "Newcastle."

Coffin

- letter from—
- to Pole, 338.

Cogswell, N.

- owner and master of the *Hannah and Sally*, 271. 405.

Collins, D. (Lieutenant-Governor)

- instructions to, 2.
- at Hobart, 3, 159, 198, 238.
- considers Port Phillip unsuitable for settlement, 238.
- entertains Lieutenant Laycock after his journey from Port Dalrymple to Derwent River, 256.
- on the arrest of Governor Bligh, 573.
- on the proposed abandonment of Norfolk Island, 508.
- on Norfolk Island settlers at the Derwent, 726.
- censured for excessive importation of cattle, 747, 752.
- on the geographical advantages of Hobart Town, 773.
- extravagance of, 386 *et seq.*, 402, 805.
- promoted lieutenant-colonel, 817.
- letters from—
- to Castlereagh, 94, 508, 726.
- to Bligh, 573.
- to Cooke, 773.
- to Foveaux, 785.
- letter to—
- from Foveaux, 747, 812.

Collins, W.

- master of the *Sophia*, 126.

Commerce, The (ship)

- arrival of, 271.
- departure of, 272.

Commissary

- duties of, 136.

Connallan, John

- Surgeon, 20 and note, 21, 266.

Connolly, M.

- signs address to Governor Bligh, 191.

Connolly, P.

- signs address to Governor Bligh, 237 (note).

Conspiracy

- convicts suspected of, 259, 260, 338.

Contest, The

- Colonial vessel, 128.

Convicts

- suspected conspiracy of, 259, 260, 338.
- seizure of vessel by, 98, 99.
- male, 148 *et seq.*
- female, 150 *et seq.*, 741.
- emancipists, 150.
- assigned, 152, 186.
- escape of, at Van Diemen's Land, 269.
- orderly behaviour of, 288.
- as lawyers, 441, 708.
- dearth of labouring, at Hobart, 812.
- Irish, 9, 19, 21, 41.
- insurrections of, 9, 13, 21, 362.
- ticket-of-leave men, 23, 47, 292.
- stowaways, 270, 364.
- classes of, 353.
- female, 393, 401.

Cooke, E. (Under-Secretary)

- letters relative to Short-Bligh dispute by Budge, 254.
- succeeded by Sir G. Shee, 299.
- letters from—
- to Short, 174 (note).
- to Bligh, 398.
- to Banks, 815.
- letters to—
- from Meuzies, 15.
- from Foveaux, 274, 783.
- from King, 365, 655.
- from Bligh, 755.
- from Collins, 773.
- from Marsden, 380, 781.

Cornwallis, Lord

- letter to—
- from Governor King, 61 and note.

Cotton

- proposed cultivation of, 293.

Courts of Law

- civil, to sit at Hawkesbury, 68.
- Bligh proposes to reform, 355.
- Trial by Jury, 411.
- proceedings of the trial of Macarthur, 4.
- accumulation of legal business, 733.
- administration of justice, 441, 787.

Courts-Martial

- powers of Governor respecting, 15.
- on Wentworth, 276, 316 *et seq.*, 532 *et seq.*

Cow Pastures

- Macarthur's grants at, 22.

Cowper, Rev. W.

- assistant chaplain, 647.
- letter from—
- to Under-Secretary Chapman, 647.

Cox, F.

- signs address to Governor Bligh, 189.

ress to Governor Bligh, 257.

ca
ress to Governor Bligh, 237 (note).

l merino sheep from Capt. Waterhouse,
r of the New South Wales Corps, 252,
lome for malversation, 252.
live-stock of, 406.

unior
l. Cox, Paymaster of the New South
Corps, 252 (note).
l Ensign, 817.

enry
l Corps, 403.

(Ensign)
of, 10.
New South Wales Corps, 184.
Corps, 403.

as of, 4.

(ship)
l, 125.
e of, 126.

ry, 70, 137 (note).

G.
address of Hawkesbury settlers to
nor Bligh, 191.
l, dismissed, 230.
lress to Governor Bligh, 191, 237 (note).
as counsel for accused in the Goro case,

ted to New South Wales for perjury,
l.
ter of Bligh, 339, 435 *et seq.*
partner, 345.
tion of, after Bligh's arrest, 440.
d by Bligh, 435 *et seq.*

nd (ship)
f, 818.
e of, 819.

s, J. (Captain)
Corps, 403.

s, W.
ormation about illicit still, 85 (note).
address of Hawkesbury settlers to
nor Bligh, 191.
lress to Governor Bligh, 191, 237 (note).

, The
on of promissory notes, 196, 236.
l exchange at Sydney, 362.

Curtis, J.
of the Britannia, 192 (note).

Cuzens, Capt. T.
of the Tellicherry, 19, 125, 126.

Dalrymple, D.
master of the General Wellesley, 271, 272.

Dalrymple, D., & Co.
owners of the General Wellesley, 271, 272.

Daniels, Robert
sentence remitted, 573.

Dargen, T.
signs address to Governor Bligh, 257.

Dart (ship)
arrival of, 271, 818.
departure of, 272, 681, 810.
carries Johnston's despatches, 594, 681.
arrives in England, 770.
cargo of, 780.

Davidson, J.
cattle sold to Government by, 123.
land grant to, 134.
sheep breeder, 186.

Davidson, W.
visits Port Dalrymple in the interests of Mac-
arthur, 797.
member of civil Court, 808.
letter to—
from E. Macarthur, 770.

Davies, Lieutenant
officer of New South Wales Corps, 184, 402.

Davison, James
signs address to Paterson, 597, 636.
signs petition to Castlereagh, 804.

De Caen, General
See "Caen, General De."

Derry, Bishop of
letter from—
to Archbishop of Canterbury, 276.
letter to—
from Rev. H. Fulton, 276 (note).

Dight, J.
signs address to Governor Phillip, 237 (note)

Divine, N.
superintendent of public labour gangs, 140.
a supporter of Bligh, 339, 345.
partner of Crossley, 345.
land and live stock of, 408.
signs address to Bligh, 411.

Domain
enlargement of, at Sydney, 305.

Dorr, W., junior
master of the Jenny, 404

| | |
|--|----|
| Argo (ship) | An |
| arrival of, 125, 234. | r |
| departure of, 126, 235. | |
| Argument, The | Ba |
| Colonial vessel, 128. | n |
| Arndell, T. | Ba |
| appointed to inquire into loss at Hawkesbury | s |
| goods, 52, 53, 54, 64. | |
| magistrate at the Hawkesbury, 141, 173, 176 | Ba |
| (note). | s |
| signs addresses to Governor Bligh, 237 (note), | Ba |
| 257, 411. | c |
| land and live stock, 406. | |
| examination of, after Bligh's arrest, 422. | Ba |
| signs address to Patterson, 597. | i |
| signs petition to Castlereagh, 804. | Ba |
| letters from— | s |
| to King, 22, 30, 51. | |
| to Bligh, 532. | Ba |
| to Bligh's secretary, 574. | n |
| Assignment System | Ba |
| description of, 152, 153, 186. | i |
| Atkins, R. (Judge-Advocate) | Ba |
| on the Governor's power to Court-Martial | i |
| marines, 15. | |
| appointment of, as Captain Commandant of | Ba |
| Sydney Loyal Association, 91. | c |
| on the authority of magistrates, 104. | i |
| magistrate at Sydney, 140, 306. | i |
| signs address to Governor Bligh, 166, 411. | c |
| signs address to Governor King, 167. | i |
| at Court-Martial on D'Arcy Wentworth, 316. | i |
| and Bligh, 341. | i |
| Bligh's charges against, 355. | i |
| dispute of, with Macarthur, 306 et seq, 411, 412, | c |
| 413, 418, 419, 435, 438. | i |
| land and live stock of, 406. | i |
| Macarthur's protest against, 422. | c |
| memorial of, to Bligh, 430. | i |
| examination of, after Bligh's arrest, 444. | |
| dismissal of, 453. | |
| evidence of, at trial of Macarthur, 467. | |
| and Macarthur, 577. | |
| warrant of, for Macarthur's arrest, 610. | |
| disputes of, with Macarthur, 611. | |
| trial of Macarthur—Court refuses to sit with, 613. | |
| re-appointed Judge-Advocate, 612. | |
| letter from— | |
| to King, 15. | |
| to Macarthur, 412, 418, 419, 471. | |
| letter to— | |
| from Macarthur, 418, 419, 466. | |
| Atlantic (ship) | |
| arrival of, 125, 234. | |
| departure of, 126, 235. | |
| Aurora (ship) | |
| arrival of, 125, 234, 404. | |
| departure of, 126, 235, 405. | |

- Everitt, P.**
owner of the William Pitt, 125, 126.
- Expenditure**
statement of, 1800-1806, 161.
salaries of civil officers, 233.
reduction of, by Johnston, 591, 731, 788.
extravagance of Collins, 805.
- Exploration**
Flinders proposes to explore the interior, 51.
Caley in Van Diemen's Land, 65.
Barrallier's expeditions, 76.
Caley in New South Wales, 171, 693.
overland from Launceston to Hobart, 257.
- Fanning & Co.**
owners of the Hope, 271, 272.
- Farming**
methods of, 351.
- Fences**
regulations concerning, 58, 91.
- Ferguson, A.**
master of the Lucy, 125, 272.
- Ferrett, The**
arrival of, 404.
departure of, 405.
- Field, W.**
signs address to Governor Bligh, 337 (note).
- Fiji**
proposed exploration of, 93.
- Finucane, James (Secretary)**
letters from—
to Brookes, 742, 743, 744, 745.
letters to—
from Brooke's, 743, 744, 745, 746.
- Fisheries**
labour employed in, 40.
sealing in Australian waters, 88, 89.
the oil, seal, and fur trade, 101, 102, 103, 103, 169, 293.
See also "Whaling."
- Fitz, R.**
Deputy-Commissary, 168.
charge against Governor Bligh by, 305.
land grant to, 402.
land and live-stock of, 408.
signs address to Bligh, 411.
examined concerning Bligh's alleged appropriation of stores, 446.
appointed debt collector, 511.
partisan of Macarthur and Johnston, 674, 801.
cattle received by, 675.
appointed superintendent of stock, 704, 731.
appointed magistrate, 761.
appointed Commissary, 803.
letter from—
to Chapman, 305.
- Fitzwilliam, Earl**
letter from—
to Castlereagh, 800.
- Flax**
cultivation of, 295.
- Fleming, J.**
sells cattle to Gregory Blaxland, 303.
sells leased premises to the Blaxlands, 311 and note.
officer of the New South Wales Corps, 312.
- Flinders, Lieutenant S. W.**
recommended to Governor King, 106.
- Flinders, Matthew**
Kent offers to continue survey of, 25.
detention of, at the Isle of France, 29, 48, 104, 116, 183, 208, 273, 282, 296, 420, 462, 564.
alleged breach of his passport, 49.
proposes to explore interior of Australia, 51.
proposes to survey the Fiji Islands, 93.
order for release of, 188.
relations between, and Governor Bligh, 207 and note, 274 and note.
letters from—
to General De Caen, 29, 48.
to Banks, 48, 116, 207, 273, 282, 420.
to King, 104.
to Minister of French Marine, 296.
- Flinders, Mrs.**
letter to Sir Joseph Banks, 564.
- Floods**
See "Hawkesbury."
- Flower, Mrs.**
governess to J. Blaxland's children, 313.
- Fly, The**
Colonial vessel, 128.
- Folger, T.**
master of the Vulture, 125, 235.
- Food**
prices at Sydney, 288, 299.
- Ford, J.**
seizure of the Venus, 98.
- Forest, A.**
master of the Sydney, 125, 126.
master of the Sophia, 125, 126.
master of the Duchess of York, 271, 272, 347, 404, 405.
letter to—
from King, 51.
- Fortune (ship)**
transport ship, 46, 115.
arrival of, 125, 612, 818.
departure of, 819.
- Fosbrook, L.**
Deputy-Commissary, 193.

Foveaux, Lieutenant-Colonel

Acting Lieutenant-Governor of Norfolk Island, 80 and note.

cattle sold to Government by, 123.

officer of the New South Wales Corps, 183, 184.
and the proposed evacuation of Norfolk Island, 225 *et seq.*

appointed successor to Piper on Norfolk Island, 230.

departure of, from England, 401.

arrival of, 701, 710.

refuses to reinstate Bligh, 713 *et seq.*, 722, 736.

reports arrival to Castlereagh, 728.

sends for Paterson, 716, 730.

on the arrest of Bligh, 736.

on Hawkesbury floods, 739.

Caley's comments on, 797.

land grants by, 798.

rank in Corps, 403.

letters from—

to Piper, 84.

to Cooke, 274, 783.

to Bligh, 713-21, 749, 791-95.

to Castlereagh, 728, 739, 742, 806.

to Paterson, 736, 786, 813.

to Collins, 747, 812.

to Chapman, 749, 804.

to Kent, 757, 758.

letters to—

from Bligh, 712-17, 719, 720, 748, 749, 791, 792, 794.

from Kent, 758, 759.

from Paterson, 764.

from Collins, 785.

Fowler, Lieutenant

officer under Captain Flinders, 106.

Fox, The (ship)

arrival of, 818.

departure of, 819.

Franklin, J. (Sir John)

recommended to Governor King, 106.

France, Isle of

See "Isle of France."

Frazier, A.

examination of—Bligh and public stores, 450.

French Marine, Minister of

letter to—

from Flinders, 296.

Fruit

varieties cultivated, 296.

Fulton, Rev. H.

acting for Marsden, 21, 69, 70, 81 (note), 251.

career of, 251, 276 (note), 277.

Bishop of Derry endeavours to obtain a pardon for, 276.

character of, 276 (note).

land and live stock of, 408.

Fulton, Rev. H.

signs address to Bligh, 411.

examined after arrest of Bligh, 411.

account of circumstances of Bligh's arrest, 41.

suspended, 666, 803.

remarks of, on colony and Bligh's arrest, *et seq.*

interviews Foveaux in Bligh's interests, 712.

letters from—

to Piper, 80.

to Bishop of Derry, 277.

to Bligh, 639.

to Castlereagh, 695.

Fulton, W.

signs address to Bligh, 411.

Garden Island

history of, 169 *et seq.*

Gardens

fencing regulations, 58, 91.

neglect of, 100, 118.

Gardiner & Co.

owners of the Favourite, 125, 126.

Geary, M.

signs address to Governor Bligh, 189.

General Wellesley, The (ship)

arrival of, 259, 271.

departure of, 272.

Gibbons, M. J.

presents address of Hawkesbury settlers to Governor Bligh, 191.

Gilberthorpe, T.

owner of the Margaret, 128.

Glen, J.

master of the Parramatta, 271, 272, 404.

deposition of, 471.

evidence of, at Macarthur's trial, 504.

letter to—

from Macarthur, 466.

Goats

See "Live Stock."

Good, Peter

death of, 16 (note).

Goodspeed, N.

master of the Britannia, 192 (note).

Gordon, Colonel

merino sheep of, imported to New South W 89, 109 *et seq.*

Gordon, G.

signs address to Governor Bligh, 189.

Gordon, Lieutenant-Colonel

letter to—

from Johnston, 652.

Gore, William

Provost-Marshal, 168, 305.
 trial of, 305, 356, 374.
 Harris's strictures on, 344.
 account of colony under Bligh, 371 *et seq.*, 602, 606, 648.
 land and live-stock of, 406.
 signs address to Bligh, 411.
 deposition of, concerning Macarthur's release, 428.
 suspended by Johnston, 453.
 supports Bligh, 339.
 comments of, on arrest of Bligh, 551 *et seq.*, 644.
 trial of, 580, 581, 604, 641, 650, 672, 734.
 professions of loyalty to Bligh, 649.
 defence of, 678.
 letter from—
 to Castlereagh, 371, 551, 602.
 to Bligh, 644, 648, 650.

Governor

powers of, 1, 15.
 duties performed by, 135.
 military v. naval officers as Governors, 816.

Governor Hunter, The

Colonial vessel, 128.

Gowen, John

storekeeper, 334.
 land and live-stock of, 408,
 examination of—Bligh and public stores, 448.

Graham, T.

master of the Pegasus, 404.

Grand Sachem, The (ship)

arrival of, 404.
 departure of, 406.

Grant, Lieutenant

commander of the Lady Nelson, 170.

Grant, J. J.

signs address to Governor Bligh, 189.

Grapes

destroyed by blight, 295.

Graves, L.

signs address to Governor Bligh, 191, 237 (note).

Greville, Right Hon. C. F.

letter from—
 to Right Hon. W. Windham, 75.

Griffin, E.

secretary to Governor Bligh, 168.
 evidence of—seizure of Macarthur's still, 334.
 land and live-stock of, 406.
 examination of, after Bligh's arrest, 435, 438.
 evidence of, at Macarthur's trial, 430.
 interviews Foveaux in Bligh's interests, 712.

Griffin, E.

letters from—
 to Jamison, 328.
 to Macarthur, 396.
 letter to—
 from Arndell, 574.

Griffiths, J.

signs address to Governor Bligh, 257.

Griffiths, S.

signs address to Governor Bligh, 191.

Grimes, C.

Surveyor-General of Lands, 233, 283.
 land and live-stock of, 408.
 appointed magistrate, 483.
 appointed Judge-Advocate, 458, 624.
 appointed notary public, 529.
 sent to England with Johnston's despatches, 586.
 arrives in England, 770.
 letters to—
 from Macarthur, 414, 417.
 letters from—
 to Piper, 394.
 to Macarthur, 418, 414, 416.

Grose, General

Hawkesbury settled during his administration, 61.
 Commandant of New South Wales Corps, 183, 184, 403.
 in London, 769.

Grosser (Captain)

officer of New South Wales Corps, 183, 184.

Guest, G.

signs address to Governor Bligh, 189.

Halcyon (ship)

arrival of, 818.

Hall, George

signs address to Paterson, 597.
 signs address to Governor Bligh, 237 (note).

Hancey, M.

signs address to Paterson, 637.
 signs petition to Castlereagh, 804.

Hancey, W.

signs address to Governor Bligh, 191.
 signs address to Paterson, 637.
 signs petition to Castlereagh, 804.

Hannah and Sally, The (ship)

arrival of, 271.
 departure of, 406.

Harding, F. L.

witness in case of Tetley and Lye v. Short, 215.

Harding, J.

witness in case of Tetley and Lye v. Short, 220.

Harding, W.

witness in case of Tetley and Lye v. Short, 219.

Hardy, Thomas

signs address to Paterson, 637.

Harper, T.

constable, 186.

Harrington (ship)

liberation of, 185.

departure of, 272.

seizure and recapture of, by convicts, 644 and note, 671, 689.

arrival of, 818.

Harris, John

Surgeon to the New South Wales Corps, 78, 326, 403.

on the authority of magistrates, 104.

sheep sold to Government by, 123.

magistrate at Sydney, 140, 141, 266, 453.

superseded as Naval Officer and Magistrate by R. Campbell, 266, 305.

opinion of, on the Court-Martial on D'Arcy Wentworth, 326.

evidence of—seizure of Macarthur's still, 332.

his strictures on Bligh, 336 *et seq.*, 342 *et seq.*

his account of the colony under Bligh, 336-49.

land and live-stock of, 406.

signs address to Bligh, 411.

sent to England with Johnston's despatches, 586, 634.

letters from—

to King, 336.

to Mrs. King, 342.

letters to—

from D. Whitney and J. Baddock, 63.

from Johnston, 600.

Harris, Lieutenant-General

letter to—

from Pulteney, 818.

Harris, —

missionary, 70.

Hartmann, T.

signs address to Governor Bligh, 189.

Harvey, W.

witness in case of Tetley and Lye v. Short, 215, 219.

Hassall, R.

missionary, 137 (note).

in charge of King's cattle, &c., 336.

signs address to Bligh, 411.

remarks of, on arrest of Bligh, 708.

signs petition to Castlereagh, 804.

letter from—

to Missionary Society, 708.

Hawkesbury River

wheat grown at, 12.

floods at, 39, 51, 52, 53, 54, 59, 60, 61, 62, 65, 175, 176, 190, 199, 291, 399.

public works at, 43.

population at, 44, 45, 131, 132, 231, 232.

settlers at—address of, to Bligh, 190, 231.

Bligh's description of, 350.

tributaries of the river, 635.

Hawkesbury, The

Colonial vessel, 128.

Hayes, J., Lieutenant

gave name of Mount Skiddaw to Moonlighton (Tasmania), 65.

Hayes, Sir H. B.

convict on Norfolk Island, 77.

and the arrest of Gore, 561, 563.

sent to Newcastle, 673.

Hayes —

in charge of King's cattle, &c., 336.

Hayman, R.

signs address to Governor Bligh, 191.

Healey, J.

arrested for illicit distilling, 84 *et seq.*

Hemp

cultivation of, 295, 393, 398, 401, 741.

Henderson, John

Ensign to Corps, 403.

Henry, William

a supporter of Bligh, 340 and note.

Hero (ship)

arrival of, 818.

departure of, 819.

Hibbins, Deputy Judge-Advocate.

account of conspiracy on Norfolk Island (note).

dismissal of, 228, 234.

Hill, J.

owner of the Britannia, 125, 235.

Hillas, John

signs address to Paterson, 637.

signs petition to Castlereagh, 804.

Hinder, —

discovered illicit still, 85.

Hobart, Lord

instruction of, to Collins, 2.

despatch re aid to industrious settlers, succeeded by Castlereagh, 34 (note).

Hobart Town

overland to Launceston, 255.

(See also "Van Diemen's Land.")

Campbell, R.

cattle sold to Government by, 123.
 shipbuilding in Sydney, 128.
 signs address to Governor Bligh, 237 (note), 411.
 Naval Officer, 266, 305, 312, 343.
 magistrate, 266, 306.
 on the powers of the Governor, 278 (note).
 orders seizure of Macarthur's still, 332.
 friendly with Bligh, 339.
 examination of, after Bligh's arrest, 438.
 dismissal of, by Johnston, 453.
 evidence of, at Macarthur's trial, 493 *et seq.*
 account of the colony under Bligh, 528.
 letters from—
 to Bligh, 528, 761.
 letters to—
 from Macarthur, 334.

Campbell, R., junior
 Macarthur v., 332.

Cannibalism

in New Zealand, 6.

Canterbury, Archbishop of

letter to, from Bishop of Derry, 276.

Castle Hill

public works at, 43.

Castlereagh, Lord

succeeds Hobart, 34 (note).
 orders of, *re* cattle for G. Blaxland, 71.
 succeeded by Windham, 120 (note).
 memorial of Assistant-Surgeon Savage submitted to, 204 (note).
 letters from—
 to Bligh, 204 (note), 397, 399, 532.
 to Wentworth, 314 (note).
 to Paterson, 778.
 to Duke of York, 778, 813.
 to Nightingall, 812.
 letters to—
 from Bligh, 46, 55, 607, 657, 681, 709, 748, 787, 807.
 from Maum, 76 *et seq.*
 from Collins, 94, 598, 726.
 from King, 112, 113, 641, 782.
 from Paterson, 120, 538, 759.
 from Osbourne, 281.
 from Wentworth, 313, 314.
 from Jamison, 328.
 from Gore, 371, 551, 602.
 from Marsden, 383.
 from Dr. Townson, 570, 738.
 from Johnston, 575, 590, 593, 630.
 from Duke of York, 651, 782.
 from Fulton, 695.
 from Foveaux, 728, 739, 742, 806.
 from Mrs. King, 781.
 from Earl Fitzwilliam, 800.
 from Nightingall, 810.

Cattle

See "Live Stock."

Cattle, Wild

Macarthur's proposals for capture of, 23, 26, 218.
 utilisation of, 172, 358, 740.
 preservation of, 186.
 King's claim to, 541.

Cedar

procured at Hunter River, 9, 129.
 charges on import of, 574.

Ceres (ship)

departure of, 126.

Chace, S.

master of the Venus, 125, 126.

Chaplains

duties of, 137.

Chapman (Under-Secretary)

letters to—
 from G. Blaxland, 301.
 from Fitz, 305.
 from Cowper, 647.
 from Foveaux, 749, 804.

Chapman, W. N.

sheep sold to Government by, 123.

Charlotte, The

Colonial vessel, 128.

Chase & Co.

owners of the Harrington, 272.

Chase, P.

master of the Criterion, 92, 125, 126.

Chauker —

special constable at Hawkesbury, 54.

Children

legitimate and illegitimate, 151, 162.

China

trade with, 89, 101, 671.

Cider

made from peaches, 69, 222, 357.

City of Edinburgh (ship)

arrival of, 612, 818.
 departure of, 819.

Cleghorn, Surgeon

witness in Court-Martial on D'Arcy Wentworth, 320.
 succeeds Wentworth as Senior Assistant-Surgeon at Parramatta, 320, 325, 329.

Climate

mean temperatures at Sydney, 353.
 of Van Diemen's Land, 67, 122.

Jamison, Dr. T.

- on the authority of magistrates, 104.
- Principal Surgeon, 139 and note, 317.
- prosecutes two assistant surgeons, 139 and note, 303.
- magistrate at Sydney, 140, 303.
- at the Court-Martial on D'Arcy Wentworth, 320, 323.
- charges against Bligh by, 323.
- evidence of, concerning seizure of Macarthur's still, 333.
- land and live stock of, 408.
- appointed magistrate, 453.
- asks for Court-Martial, 516.
- cause of dismissal of, 519, 521.
- Bligh's charges against, 600.
- letters from—
 - to Wentworth, 325, 327.
 - to Castlereagh, 323.
 - to Johnston, 516, 535.
- letters to—
 - from Wentworth, 327.
 - from Bligh, 328.
 - from Johnston, 600.

Jenner, Dr. E.

- letter from—
 - to Windham, 202.

Jenny (ship)

- arrival of, 404.
- seized by order of Johnston, 585, 670.
- spirits brought by, 585, 670.

Jervis Bay

- proposed communication with, 694.

John, The

- Colonial vessel, 123.

Johns, B.

- deposition of, 582.

Johnson, Rev. R.

- Chaplain, 137 and note.

Johnston, A.

- signs address to Bligh, 191.
- signs address to Paterson, 597, 696.
- signs petition to Castlereagh, 804.

Johnston, Captain

- cousin of Major Johnston, 363.

Johnston, George (Major)

- dispute with Mensies, 10 (note).
- officer of the New South Wales Corps and Association, 73, 133, 184, 276, 403.
- on the authority of magistrates, 104.
- a marine ram imported by, 112.
- grant of land to, 124.
- magistrate at Sydney, 140, 303, 316, 322.
- signs address to Governor Bligh, 103.
- signs address to Governor King, 167.
- horses presented to, by Duke of Northumberland, 182 and note.

Johnston, George (Major)

- relations of, with Bligh, 239, 346, 662.
- land and live-stock of, 406.
- Bligh requests presence of, at C House, 427.
- requisition to, for Bligh's arrest, 494.
- proclaims martial law, 494.
- addresses of officers and settlers to, 454, 597.
- action of, in arresting Bligh and officers and settlers, 454, 455, 458.
- correspondence with Bligh, commencing letter's arrest, 455 *et seq.*
- proposed presentation to, 512, 525, 6.
- informs Paterson of Bligh's arrest, 516.
- re Bligh's departure, 543, 549, 550, 561.
- criticised by Gore, 554, 602-4.
- requests Paterson to take charge of, 595, 739.
- reports to British Government re Bligh, 575 *et seq.*, 630.
- reasons of, for assuming title of Governor, 563.
- statement of, concerning stores, live expenditure, 590 *et seq.*
- on the complaints against Macarthur Bligh's account of his arrest by, 607.
- summoned to Government House, 6.
- acts of, approved by public meeting, reports Bligh to Horse Guards, 632.
- legality of his public acts, 634.
- open letter to, from Caley, 696.
- Caley's strictures on, 687.
- private character of, 691.
- his relations with Caley, 796.
- promoted Lieutenant-colonel, 817.
- letters from—
 - to keeper of gaol, 423.
 - to Bligh, 434.
 - to Apsey, J., 454.
 - to Symons, 539, 543, 549, 550, 555,
 - to Castlereagh, 575, 590, 593, 692.
 - to Paterson, 595.
 - to officers, 600, 681.
 - to Lieutenant-Colonel Gordon, 693.
- letters to—
 - from Bligh, 427, 433, 542, 544, 545-567, 598.
 - from Jamieson, 516.
 - from Paterson, 536, 637.
 - from Symons, 539, 543, 549, 550, 561.
 - from officers,
 - from Bell, 655.

Johnston, John

- signs petition to Paterson, 597, 696.

Jones & Smith

- owners of the Improvement, 122.

Judge-Advocate

- duties of, 126.
- importance of position, 764.

al by
its apply for, 411.

(ship)
ship, 46.

o.
f the King George, 125, 126, 128, 145
272.
f the Endeavour, the Contest, and the
, 128.
ding at Sydney, 128.
rs of cedar from King's Town, 130.
l imprisoned, 278 (note).

food at Hobart, 94, 361.
ort Dalrymple, 264, 290, 361, 767.

B.
f the Venus, 98.

ptain
ned by, in Van Diemen's Land, 168.
New South Wales Corps, 184, 403.
d, to succeed Piper at Norfolk Islands

e of Port Dalrymple settlement in Pat-
absence, 252.
live-stock of, 406.
of Court at trial of Macarthur, 422.
d magistrate, 458.
d Judge-Advocate, 648, 733.
at trial of Gore, 650.
on of, 812.

—
ohnston, 600.
Kent, 720.

John
ition to Castlereagh, 804.

ptain W.
appointment under Bligh, 25.
continue Flinders's survey, 25.
e of merino sheep from the Cape, 109 *et*
79, 700.
d to Government by, 123.
led the Supply, 169.
ned by, 182.
ommander of the Investigator, 201.
, 201.
m—
ks, 25.
—
anks, 31.

utenant B.
lieutenant of the Investigator, 201.
, 201 (note).

omas
ling settler, 384, 385.
m—
g, 384.

Kent, Lieutenant W. G. C.
acting as lieutenant of the Buffalo, 201.
career of, 201 (note).
alleges that Bligh ordered him to shoot settlers
who refused to leave Norfolk Island, 284 (note).
and Bligh, 417, 759.
arrival of, 565.
commission of, 567.
appointed commander of Porpoise, 594.
letters to—
from Bligh, 714, 715.
from Foveaux, 757, 758.
letters from—
to Bligh, 720.
to Kemp, 720.
to Foveaux, 758, 759.

Ker, S.
signs address to Governor Bligh, 257.

Kerswell, J.
signs address to Governor Bligh, 237 (note).

Kimber, W.
occupies house on Crown reserves in Sydney,
275.

King George (ship)
arrival of, 125, 234, 818.
departure of, 126, 235, 819.
Colonial vessel, 128.

King, J.
overseer of the brickmakers, 102.

King, Mrs.
wife of ex-Governor King, 77.
letter from—
to Bligh, 171.
to Castlereagh, 781.
letter to—
from Harris, 342.

King, Philip Gidley (Governor)
remarks of, on legality of Governor's Orders, 1.
hospitable treatment of New Zealanders, 3.
pure motives of, 8.
founds a settlement at Newcastle, 9, 13, 16.
comments of, on Macarthur's proposals to cap-
ture wild cattle, 26.
note on the offer of Messrs. Whitney and Pad-
dock to convey a cargo of rice to Sydney in
the Favourite, 64.
on the rumour that Captain Bligh was appointed
his successor as Governor, 67.
complaints against, by W. Maum (convict), 77 *et*
seq.
sends supplies to Hobart, 94, 239.
encourages the seal and oil fisheries, 101.
merino sheep given to him at the Cape, 111.
relieved by Governor Bligh, 118, 119, 165 *et seq.*,
175, 185.
observations on muster, 134.
description of the settlement by, 135-157.
comparative statement of annual progress and
raising stock in New South Wales, 157 *et seq.*

King, Philip Gidley (Governor)

- address to, from the inhabitants, 166.
- reply to address from inhabitants, 167.
- praised by Banks, 187.
- refuses to lend money to Houstoun, 204.
- inquires into charges against Captain Short by Tetley and Lye, 212 *et seq.*
- inquires into charges against Tetley and Lye by Captain Short, 224 (note).
- opposes the evacuation of Norfolk Island, 227 (note).
- objects to give land adjoining Mount Taurus to Macarthur, 229.
- opposes importation of spirits by Campbell & Co., 229.
- forms a settlement on the Derwent, 238.
- leaves the colony, 252.
- birth-place of, 255 (note).
- farm owned by, 263, 336.
- adverse criticism of, 296, 303.
- charges of corruption against, by G. Blaxland, 304 and note.
- his claim on the wild cattle, 312, 541.
- his Colonial possessions, 336, 338, 408.
- and Bligh compared, 341, 343 *et seq.*
- alleged abuses under, 371.
- on extravagance of Collins, 386 *et seq.*
- on Colonial timbers, 397.
- failing health of, 171, 175, 200, 541, 641.
- live stock of, 111, 541.
- salary and savings of, 542, 642.
- memorial of, 641.
- services of, 641, 782.
- remarks of, on complaints against Bligh, 655, 656.
- relations of, with Macarthur, 692.
- death of, 769, 772, 777.
- letters from—
 - to Secretary Marsden, 19, 185, 200.
 - to Camden, 20, 26, 59.
 - to Piper, 21.
 - to Captain Forrest, 51.
 - to Cornwallis, 61 and note.
 - to Commissary Palmer, 71, 160.
 - to Commissioners of the Navy, 97.
 - to Castlereagh, 112, 113, 641, 782.
 - to Bligh, 120, 169, 171.
 - to Windham, 185.
 - to Wentworth, 324.
 - to Cooke, 385, 541, 655.
- letters to—
 - from Atkins, 15.
 - from Arndell, 22, 30, 34, 51.
 - from Macarthur, 22, 92.
 - from Paterson, 30, 99.
 - from Rev. S. Marsden, 53.
 - from Abbott, 84.
 - from Flinders, 104.
 - from Banks, 187.
 - from Minchin, 331.
 - from Harris, 336.
 - from T. Kent, 384.

Kinsela, E.

manager of the salt works, 237.

Knight, I.

superintendent of settlement at Castle 262, 268.
 witness in Court-Martial on D'Arcy Wentworth, 317.

Labour

price of, 39.

Lady Barlow (ship)

cargo seized by customs, 191.

Lady Nelson, H.M.S.

voyages and services of, 8.
 King's ship, 127.
 arrival of, 318.

Land

leases to farmers, 39.
 Crown reserves and commons, 155, 273.

Land Grants

to Macarthur, 22, 134.
 to Blaxland, 114, 134.
 to Davidson, 134.
 to Johnston, 134.
 to Short and Townson, 174, 175, 402.
 Macarthur's application for, 229, 243.
 to Townson, 287, 299.
 quantity of land alienated, 349.
 to Bunker, 402.
 to Fitz, 402.
 by Foveaux, 798, 808.
 by Johnston, 807, 808.
 by successive Governors, 808 (note).

Larkins, Captain

conveyed Flinders's narrative to Rev. S. Marsden, 611.

Launceston

overland to Hobart, 255.
 See also "Van Diemen's Land."

Law

power of Governor to make regulations, 1.
 See also "Courts."

Lawson, Lieutenant W.

Commandant at Newcastle, 160 (note).
 on Court-Martial on D'Arcy Wentworth, 321.
 at Norfolk Island, 321.
 rank in Corps, 403.
 land and live-stock of, 406.
 member of Court at Macarthur's trial, 423.
 appointed aide-de-camp to Johnston, 453.
 appointed magistrate, 530.
 appointed Commandant at Newcastle, 81.
 letter from—
 to Bligh, 637.
 letter to—
 from Johnston, 600.

Lawyers

convicts as, 703.

Lieutenant T.
 New South Wales Corps, 184, 403.
 of a journey from Port Dalrymple
 to Dewent, 255.
 grant of 520 acres at Cabramatta, 257
 re-stock of, 406.
 Court at trial of Macarthur, 422.
 Johnston, 600.
Macarthur, Thomas
 Corps, 403.
 359.
 by Bligh, 751.
 the Sophia, 125, 272.
Macarthur, Thomas (Naturalist)
 of seeds of native plants to Under-
 Chapman, 307.
Macarthur, Thomas
 vessel, 128.
 Town, 34, 97.
 Dalrymple, 34, 121, 168, 403.
 lands, 40, 121.
 road, 64, 65, 291.
 Government cattle to settlers, 71, 113,
 of merino sheep, 89, 109, 110 *et*
 700.
 the Crown, 123, 124, 309, 520, 707.
 133, 279, 809, 406.
 cattle and sheep, 134, 248, 294.
 flocks, and their increase, 155 *et seq.*,
 island, 228.
 236.
 from St. Helena, 336 (note).
 ex-Governor King, 336, 338, 541.
 Governor Bligh, 302.
 account of Government herds, 591.
 amongst settlers in return for grain,
 remarks concerning, 606, 628.
 killed and sold, 724.
 importations by Collins, 747, 752.
 and horse imported by Johnston, 775.
 Government, 801.
 see also "Cattle, Wild."
 Sydney, 238, 299.
 Food."
 to Paterson, 597.
 to Alexander, 234, 235.

Loquats
 cultivation of, 206.
Lord & Co.
 owners of the King George, 234, 235.
 letter from—
 to Bligh, 277.
Lord, Lieutenant E.
 gives evidence before the Committee on trans-
 portation (House of Commons) relative to
 communication between Hobart and Launce-
 ston, 257 (note).
 magistrate at Hobart, 753.
Lord, Simeon
 relations of, with American shipowners, 41.
 purchased cedar from King's Town, 130.
 signs address to Governor Bligh, 189.
 Houston in debt to, 204.
 fined and imprisoned for writing letter to Gover-
 nor Bligh, 278 (note).
 appointed vendue master, 811.
Lowry, J.
 signs address to Governor Bligh, 192.
Lucas, J.
 master of the Richard and Mary, 125, 233.
Lucy (ship)
 arrival of, 125.
 departure of, 272.
Luttrell, E. (Surgeon)
 suggests that pig-stealing be made a capital
 offence, 291.
 sheep-breeder, 294.
 a supporter of Bligh, 339.
 land and live-stock of, 408.
 letter from—
 to Sullivan, 291.
Lye, D.
 charges by, against Captain Short, 208 *et seq.*
 charges against, by Captain Short, 223, 224 (note).
 letter from—
 to Bligh, 209, 210 and note.
Lyster, J.
 signs address to Governor Bligh, 189.
Macarthur, D.
 appointed Captain, 817.
Macarthur, Edward
 sent to England with Johnston's despatches
 587, 631.
 informs Tench of Bligh's arrest, 727.
 commission of, in British Army, 779.
 letters from—
 to his Mother, 769.
 to Davidson, W., 770.
 to Hannibal Macarthur, 771.
 to his Father, 774, 776, 779, 785.
 letter to—
 from Tench, 727.

Macarthur, Hannibal

letter to—

from E. Macarthur, 771.

Macarthur, John

opinions of, on powers of Governor, 1.

owner of the *Venus*, 128.part owner of the *Elizabeth*, 128, 272.

grants of land to, 134, 248, 406.

land and live-stock of, 406.

purchases a Spanish brig, 145.

signs address to Governor Bligh, 166, 189, 191.

signs address to Governor King, 167, 192.

return of, to colony, 180 (note).

stock and sheep breeder, 109, 111, 180 (note),
186, 302, 309, 406, 700.

opposition to, 189, 191, 596, 600.

refuses to lend money to Houstoun, 204.

application for land adjoining Mount Taurus
refused by Governor King, 229.

convict escapes in vessel of, 270, 494, 504, 609.

v. R. Campbell, jun., 332.

seizure of his still, 332 *et seq.*, 364, 365, 438, 444,
480, 493.dispute of, with Atkins, 395 *et seq.*, 411, 412, 413,
418, 419, 435, 438, 611.

leasehold of, 413, 414, 416, 417, 612.

trial of, 422, 465-510, 554, 577, 613, 666, 775.

protest of, against Atkins, 422, 613.

claims military protection, 427.

liberated under bail, 428, 433, 617.

re-arrested and imprisoned, 428.

warrant for arrest of, 474, 610.

refuses to obey warrant, 475, 506, 610.

arrest ordered by Bench of Magistrates, 476,
610.

committed for trial by magistrates, 477, 610.

dispute concerning Thompson's wheat note, 485
*et seq.*strained relations of, with Phillip, Hunter, and
King, 499, 500, 692.

acquittal of, 510.

criticised by Gore, 553 *et seq.*

trial and release of—Johnston's account, 577.

appointed Colonial Secretary, 519, 586, 625, 803.

on the arrest of Bligh, 594.

Johnston on the complaints against, 600.

Gore's remarks concerning, 602, 606.

career and conduct of—Bligh's account, 606
et seq.

address of thanks to, 512, 625, 667.

appointed delegate, 513, 626, 667.

virtually Governor, 630, 665, 669, 795.

and Blaxland, 632.

alleged appropriations of, 669, 802.

Bligh anticipates movements of, 682.

relations of, with Sir Joseph Banks, 691.

relations of, with King, 692.

Caley's remarks upon, 693.

Banks's comments on, 698 *et seq.*

charges against, by Marsden, 776.

printed report of trial of, 778, 786, 814.

Macarthur, John

wool sent Home by, 779.

presence of, required in England, 779.

letters from—

to King, 22, 92.

to Campbell, 334.

to Bligh, 395, 411, 413, 419.

to Grimes, 414, 417.

to Atkins, 418, 419, 466.

to Captain Glen, 466.

to his Wife, 594.

to Piper, 643.

letters to—

from Griffin, 396

from Atkins, 412, 418, 419, 471.

from Grimes, 413, 414, 416.

from E. Macarthur, 774, 776, 779, 785.

Macarthur, John, junior

studying for the legal profession, 769, 778.

Macarthur, Mrs.

letter to—

from her husband, 594.

from her son, 769.

McCallam, D.

assistant-surgeon, 329.

McDougall, A.

signs address to Paterson, 637.

signs petition to Castlereagh, 804.

letter from—

to Campbell, 636.

McKay, D.

garden of in High-street, 173.

McLaren, C.master of the *Santa Anna*, 234.**MacMillan (Surgeon)**

services of, 8.

Macquarie (Governor)

Andrew Thompson's bequest to, 262 (note).

Magistrates

powers, &c., of, 104, 140.

appointed by Johnston, 453.

dismissed and new ones appointed, 624-25.

Malaspina, Commodore

left an Andalusian cow at Sydney, 155.

Mann, D. D.

overcharged for spirits, 12.

signs address to Governor Bligh, 189.

occupied a house on Crown reserves in Syd
275 and note.**Maoris**visit of, to Sydney, 2 *et seq.***Marcia, The**

Colonial vessel, 128.

e
el, 128.

al
al on, 15.

ret-place, 173.

, Lance-Corporal
, 575.

ie Maoris, 7.
married to single females, 151, 162.
increasing, 249.

20.

r. S.
69, 70, 137, 383, 384.
inquire into loss at Hawkesbury
l, 64.
covery of illicit still, 85.
rity of magistrates, 104.
t Parramatta, 141, 173, 176 (note),
l money to Houstoun, 204.
land in the Buffalo, 249.
rmer, 249 and note.
nan for refusing to assist in rescuing
t the Hawkesbury floods, 278 (note).
ent of public works at Parramatta,
elligion, and education of colony, 380

stock of, 406.
by, 111, 700.
69, 772.
with John Macarthur, 776.
in colony, 778.
expenses of, 781.
—
or King, 53.
380, 781.
agh, 383.

(Secretary to Admiralty)
—
118.

us, 16.
; 19, 185, 200.
t, 31.
1, 46, 81, 208.

r
by Johnston, 434, 580.
453.

s to Governor Bligh, 237 (note).

illicit still by, 85.

Mason, James
Ensign in Corps, 403.
land and live-stock of, 406.

Mason, Martin
signs address to Paterson, 597, 636.
remarks of, on relations between Bligh and
settlers, 702.
charged with illicit distillation, 780.
letter from—
to Bligh, 702.

Mason, W.
signs address to Governor Bligh, 191.

Masters, W.
sitting in Court-Martial on D'Arcy Wentworth,
816.
Ensign in New South Wales Corps, 403.

Mather & Co.
owners of the Vulture, 125, 235.

May, L.
signs address to Governor Bligh, 237 (note).
signs address to Paterson, 597.

Mealmaker, G.
in charge of Parramatta linen and wool manu-
factories, 140.

Meehan, J.
surveyor, 263 (note).

Meeting, Public
held at Sydney, in support of Johnston, 512, 625,
667.

Mein, James
signs address to Paterson, 597, 636.

Menzies, Lieutenant
services of, 9, 10, 13, 15.
allowances to, 160.
letter from—
to Cooke, 15.

Mercury, The
arrival of, 818.
departure of, 819.

Merino
See "Live Stock."

Meryck, A.
master of the Aurora, 125, 126, 234, 235, 404, 405.

Mestier & Co.
owners of the Fortune, 125, 235.

Meteorology
of Van Diemen's Land, 769.

Meurant, F.
pardon of, 77.
occupies house on Crown reserves in Sydney,
275 and note.

Mileham, J.

assistant-surgeon, 132, 319, 757.
 a witness at the Court-Martial on D'Arcy Wentworth, 321
 land and live-stock of, 408.
 letter to—
 from Johnston, 600.

Military Forces

soldiers' debts, 11.
 review of troops, 119
 strength and distribution of Corps, 142, 183, 261.
 defences of Sydney, 161, 165,
 proposed augmentation of Corps, 239, 260.
 non-commissioned officers and privates' address
 to Bligh, 254,
 Bligh's disputes with, 339, 588, 589, 652-5, 632.
 Bligh's treatment of, reported to Government
 by Johnston, 652.
 eulogised by Hunter and King, 654.
 recruited from convicts, 355.
 trading officers, 372.
 spirits and clothing for, 530, 533.
 orderly behaviour of, 587.
 Macarthur's influence over, 612.
 monthly mess of officers, 613.
 soldiers arrest Bligh, 617.
 address of thanks to soldiers, 625.
 danger of a permanent militia, 355, 676, 683.
 confusion of military and civil functions, 683.
 inadequate barrack accommodation, 734.
 arrival of re-inforcements, 734.
 New South Wales Corps relieved by 73rd Regi-
 ment, 778, 783, 813, 818.
 payment of soldiers, 808.
 New South Wales Corps styled the 102nd, 813.

Milins, Captain

taken prisoner by the English, 118 and note, 186,
 273 and note.

Mill, Lieutenant John

rank in Corps, 403.

Miller, W.

owner of the William and Mary, 128.

Milton, J.

discoverer of illicit still, 85.

Minchin, Lieutenant W.

appointed Artillery and Engineer Officer of Loyal
 Associations, 70.
 superintends the building of Fort Phillip, 144.
 Artillery Officer, 161, 165.
 sitting in Court-Martial on D'Arcy Wentworth,
 316.
 charges of, against Governor Bligh, 331.
 rank in Corps, 403.
 land and live-stock of, 406.
 member of Court at Macarthur's trial, 422.
 appointed magistrate, 453.
 his account of Bligh's complaint concerning
 soldiers, 588.

Minchin, Lieutenant W.

sails for England in the Brothers, 681.
 letters from—
 to King, 331.
 letters to—
 from Johnston, 600.

Mitchell, O.

owner of the Brothers, 125, 235.

Moody, W.

master of the King George, 125, 126, 234, 235.

Moore, H.

master of the Fortune, 125, 235.

Moore, Lieutenant William

supplied with merino sheep by Capt. W.
 house, 111.
 officer of New South Wales Corps, 184 403.
 land and live-stock of, 406.
 member of Court at Macarthur's trial, 422.
 letter to—
 from Johnston, 600.

Moore, Thomas

builder, 164.
 land and live-stock of, 408.
 signs address to Bligh, 411.
 letter to—
 from Johnston, 600.

Morals

King on the state of, 150, 151.
 the prevalence of illegitimacy, 151, 162.
 Marsden on depravity of, 381.

Morely and Watkins

owners of the Richmond, 129.

Morley, J.

purchased coal from King's Town, 130.

Moths

wheat destroyed by, 37, 114.

Mountgarrett, Surgeon

live-stock owned by, in Van Diemen's Land,

Mulberries

cultivation of, 296.

Mulcock, J.

signs address to Governor Bligh, 189.

Natai

exploration in vicinity of, 171.

Natives

of New Zealand, 2.
 pacific disposition of, at Sydney, 42, 115.
 an encounter with, at Twofold Bay, 42.

Natural History

specimens collected by Brown, 17.
 See also "Brown, R."; "Bauer, F."; "Cal
 G."; "Lewin, J. W."

Naval Officer
duties of, 142.

Navy, Commissioners of
letter to—
from King, 97.

Navy, The
sailors' debts, 11.

Neale, H. H.
signs address to Governor Bligh, 189.

Nectarines
cultivation of, 296.

Nelson, J.
signs address to Governor Bligh, 189.

Nepean River
settlers forbidden to cross, 186.

Newcastle
settlement of, 9, 13, 15.
coal and cedar exported from, 129, 130.
population of, 44, 45, 131, 132, 231, 232, 283, 290.
salary of Commandant at, 160.
port regulations, 275.
import charges on cedar from, 574.
Ensign Villiers appointed commandant at, 757.
Lawson succeeds Villiers in command at, 817.
General Orders issued at, 836.

Newsham, —
private secretary to Bligh, 341.

New South Wales
Banks's remark upon colony, 86 *et seq.*
Luttrell's remarks upon colony, 291 *et seq.*
Blaxland's remarks upon colony, 301 *et seq.*, 303.
features of the country, 350.
climate, 353, 371, 377.
state of, on Bligh's arrival, 371.
See also "Trade."

New Zealand
natives of, at Sydney, 2.

Nichols, Isaac
owner of the Governor Hunter, 128.

Nightingall (Brigadier-General)
offered Governorship of New South Wales, 810, 812, 813.
letter from—
to Castlereagh, 810.
letter to—
from Castlereagh, 812.

Norfolk Island
removal of inhabitants to Van Diemen's Land, 35, 225, 675, 861, 867, 401, 675, 773.
proposed evacuation of, 86, 84, 225, 283, 378, 592, 598, 675, 690, 710, 741, 754, 774, 784, 785, 807.
population of, 42, 131, 132, 289, 290.
salt pork sent from, 114.
discontent of settlers from, 788.

Northumberland
county of, 9.

Northumberland, Duke of
interviewed by E. Macarthur, 774.
presents Major Johnston with a Spanish ram, 112; and a thoroughbred horse, 182, 775.

Notes, Promissory
liquidation of, 198, 236, 362.
Macarthur's dispute concerning, 485 *et seq.*

Oakes, F.
head constable at Parramatta, 140, 317.
witness in Court-Martial on D'Arcy Wentworth, 319.
evidence of, against Wentworth, 363.
serves warrant on Macarthur, 474, 610.
evidence of, at Macarthur's trial, 506 *et seq.*
signs petition to Castlereagh, 804.

O'Hara, J.
signs address to Governor Bligh, 191.

Oldry, W.
witness in case of Tetley and Lye *v.* Short, 219.

Oranges
cultivation of, 293.

Orders (Government and General)
legality of, 1.
debts of soldiers and seamen, 11.
settlers debts, 14.
bridge over South Creek, 27.
ticket-of-leave men, 28, 47.
flood at Hawkesbury, 52, 54, 176.
ration reduced, 54, 99, 173, 515.
bakers' licenses, 57.
swine and goats, 58.
fencing regulations, 58, 91.
trafficking in grain, 69.
licensed and unlicensed victuallers, 69.
volunteers—the Loyal Association, 70, 531.
regulation in cases of alarm, 71.
a brewer appointed, 72.
discovery of private stills, 72.
police regulations, 73.
seizures of spirits, 91.
vegetable gardens, 100, 118.
road maintenance, 102.
arrival of Bligh, 118.
review of New South Wales Corps, 119.
Bligh assumes the command, 167, 168.
S. Bates appointed magistrate, 169.
a market place, 173.
charges for grinding corn, 174.
relieving necessitous settlers, 186.
the wild cattle, 186.
assigned servants, 186.
shipping regulations, 193, 258, 263, 267, 275.
ship building, 197.
the currency, 193, 236.
precautions against fire, 198.
wheat tenders, 205, 221.

Orders (Government and General)

compulsory harvesting, 205.
 Government labourers, 206.
 Crown debtors, 206.
 draft cattle, 236.
 salt, manufacture of, 237.
 illicit stills, 253.
 bartering with spirits prohibited, 253.
 the ration of grain, 254, 267.
 arms and ammunition in private hands, 255.
 immigration to India prohibited, 261.
 the case of Surgeon Savage, 263.
 Harris superseded, 266.
 escape of convict in Macarthur's ship, 270.
 Crown reserves, 275.
 Wentworth's Court-Martial, 276.
 sea captains as landholders, 395.
 martial law proclaimed, 434.
 cessation of martial law, 453.
 Abbott appointed magistrate, 511.
 Fitz appointed debt collector, 511.
 spirits for domestic use, 511.
 Macarthur appointed Colonial Secretary, 519.
 W. Sherwin appointed storekeeper, 529.
 C. Grimes appointed notary public, 529.
 general muster, 529.
 C. Throsby appointed magistrate, 522.
 spirits for soldiers, 530.
 Lieutenant Lawson appointed magistrate, 530.
 Lieutenant Thos. Moore, promotion of, 532.
 free-trade in coals, 533.
 John Blaxland's resignation accepted, 545.
 proclamation—sentence on O. Russell, 573.
 resignation of Grimes, Harris, and Symons, 574.
 import charges on cedar, 574.
 Captain Kemp appointed Judge-Advocate, 648.
 New South Wales Corps eulogised, 654.
 arrival of Foveaux, 701.
 appointment of Fitz, 704.
 Williamson, John—appointment of, 768.
 convicts as advocates, 708.
 Stroud, John—appointment of, 709.
 Wilshire, James, appointed Deputy Commissary, 728.
 Villiers, Ensign, appointed magistrate at Newcastle, 757.
 Lord, Lieutenant E., appointed magistrate at Hobart, 757.
 Wentworth, D'Arcy, assistant surgeon, Parramatta, 757.
 Mileham, J., assistant surgeon at Hawkesbury, 757.
 Redfern, W., assistant surgeon, Sydney,
 Fitz, Robert—
 appointed magistrate, 761.
 appointed Commissary, 808.
 removal of duty on sandal-wood, 761.
 discovery of private still, 780.
 payment of soldiers, 808.
 Broughton, W., Deputy Commissary, 808.
 Davidson, W., member of civil Court, 808.
 price of wheat, 810.

Orders (Government and General)

appointment of vendue masters, 811.
 resignation of Judge-Advocate Kemp, 812.
 Throsby, C., assistant-surgeon, returns Sydney, 817.
 Lawson, Lieutenant Wm., to command at castle, 817.
 Brabyn, Lieutenant, promotion of, 817.
 Senior, Ensign, appointed Lieutenant, 817.
 Bayly, N., retirement of, 817.
 Cox, William, junr., appointed ensign, 817.
 Macarthur, D., appointed Captain, 817.
 Paterson, Lieutenant-Colonel, appointed Colonel, 817.
 Johnson, Major, appointed Lieutenant-Colonel, 817.
 Abbott, Captain, appointed Major,
 Collins, Lieutenant-Colonel, appointed Colonel, 817.

Osbourne, W.

owner of the Sinclair, 125, 235, 291.
 contracts with the Transport Board to convey convicts and stores to New South Wales,
 applies for permission to convey home cargo from India and China in the Sinclair, 281,
 letter from—
 to Castlereagh, 281.

Oxley, J.

acting as lieutenant of the Buffalo, 201.
 inquiries into charges against Captain Shortt, Tetley and Lye, 212 *et seq.*

Paddock, J.

letter from—
 to J. Harris, 63.
 master of the Favourite, 125, 126.

Palmer, C.

signs address to Governor Bligh, 237 (note).

Palmer, J. & Co.

owners of the John, Fly, and Edwin, 128.

Palmer, John (Commissary)

Commissary, 131, 306.
 signs address to Governor Bligh, 237 (note),
 magistrate at Sydney, 306, 332.
 supports Bligh, 339, 340, 343.
 land and live-stock of, 406.
 examined after Bligh's arrest, 442.
 suspended by Johnston, 453.
 evidence of, at Macarthur's trial, 497 *et seq.*
 interviews Foveaux in Bligh's interests, 712.
 his account of the Government under Bligh, *et seq.*
 arrested and his papers seized, 722.
 and the Government stores, 722.
 his charges against Macarthur, 723.
 Foveaux's charges against him, 733.
 letters from—
 to Bligh, 530, 721, 800.
 letters to—
 from Governor King, 71, 160.

Parramatta

public works at, 43.
population of, 44, 45, 131, 132, 231, 232, 289, 290.
storehouses at, 735.
progress at, 330.

Parramatta, The (ship)

convict escapes in, 270, 494, 504, 609.
arrival of, 271, 404.
departure of, 272.

Paterson, Lieutenant-Colonel

merino sheep given to him at the Cape, 111.
favourable to allowing convict servants to officers, 143.
account of stock in Van Diemen's Land, 168.
live-stock owned by, in Van Diemen's Land, 168.
officer of the New South Wales Corps, 183, 184.
return to Pt. Dalrymple from Sydney, 204, 252, 264.
grant of 1,000 acres promised to Mrs. Paterson in case of death of, 266.
rank in Corps, 403.
informed by Johnston of Bligh's arrest, 536.
his right to the command during Bligh's arrest, 537, 538, 570, 582, 595, 626, 637, 664, 700, 763, 764, 786, 796, 804.
informs Castlereagh of Bligh's arrest, 538.
Johnston requests him to take charge, 570, 595, 789.
settler's address to, 596, 635-7, 677.
settlers' appeal to him to release Bligh, 635-7.
awaits Foveaux's arrival, 639.
sent for by Foveaux, 716, 730, 789.
refuses to reinstate Bligh, 763.
reports arrest of Bligh to Banks, 767.
Bligh threatens to arrest, 813.
delay of, in assuming command at Sydney, 814.
promoted to Colonelcy, 817.
letters from—
to King, 30, 99.
to Castlereagh, 120, 538, 759.
to Bligh, 260, 763.
to Sullivan, 264, 280.
to Johnston, 536, 637.
to Foveaux, 764.
to Banks, 767.
letters to—
from Johnston, 595.
from Bligh, 701.
from Foveaux, 736, 786, 813
from Castlereagh, 778.

Peaches

cider made from, 69, 222, 295.

Pearce, Matthew

signs petition to Castlereagh, 804.

Pears

cultivation of, 296.

Peate, B.

owner of the Argument, 128.

Pegasus (ship)

arrival of, 348 (note), 404.
departure of, 819.

Perceval, Hon. Spencer

letter from—
to ———, 393.

Perseverance, The

departure of, 272, 819.
arrival of, 818.

Petty, J.

witness in case of Tetley and Lye v. Short, 217.

Phillip (ex-Governor)

recommended settlement of Hawkesbury, 61.
horses brought out by, 158 and note.
allotted Garden Island for use of Sirius, 169.
allowance to, in consideration of services, 233.
reserves certain lands in Sydney for public purposes, 275.

Pierce, —

owner of the Eliza, 126.

Pineo, O.

witness in case of Tetley v. Short, 217, *et seq.*

Piper, John (Captain)

at Norfolk Island, 3, 184, 204, 230, 283.
rank in Corps, 104, 403.
land and live-stock of, 406.
letter from—
to Windham, 377.
letters to—
from King, 21.
from Foveaux, 84.
from Fulton, 80.
from Wentworth, 204.
from Bligh, 230, 283.
from Grimes, 304.
from Macarthur, 643.

Piracy

vessels seized by convicts, 98, 99, 644 and note, 671, 689.

Pitt, T. M.

presents address of Hawkesbury settlers to Governor Bligh, 191.
signs address to Governor Bligh, 191, 237 (note), 411.

Plants

See "Botany."

Plummer, T. W.

owner of the Sydney Cove, 271.

Pococke Point

named by Cook, 4 (note).

Pole, W. W. (Admiralty)

letters to—
from Bligh, 629.
from Coffin, 388.
from Hunter, 412.

Bligh claims possession of, 543, 547, 554, 629,
702, 715, 726.

Keat succeeds Symonds as commander of, 394, 639.

Port Dalrymple

See "Van Diemen's Land."

Printings

grown in New Zealand, 4.
cultivation of, 309.

Promissory-notes

liquidation of, 198, 236, 302.
Macarthur's dispute concerning, 453 et seq.

Prosser, J.

signs address to Governor Bligh, 159.

Provost-Marshal

duties of, 136.

Public Works

report concerning, 43.
buildings at Sydney, 162, 806.
situation and description of, 163.
alleged neglect of, by Bligh, 341.

Pugh, E.

signs address to Governor Bligh, 191, 227 (note).

Pulteney, James

letter from—
to Lieutenant-General Harris, 818.

Putland, Lieutenant J.

son-in-law of Governor Bligh, 56.
aide-de-camp to Governor Bligh, 168.
acting as commander of the Porpoise, in lieu of
Captain Short, 236.
farm owned by, 262.
land and live-stock of, 409.
death of, 574, 611.

Butcher —

Raven, The

Colonial vessel, 122.

Rayner, J.

signs address to Governor Bligh, 159.

Recovery (ship)

arrival of, 700, 818.
departure of, 819.

Redfern, William

assistant-surgeon, Sydney.

Redmonds, J.

seizure of the Venus, 52.

Regan, W.

signs address to Governor Bligh, 159.

Reiby, R.

appointed gaoler, 349.

Religion

of the Maoris, 7.
at Sydney, 251, 490.
Cowper, assistant chaplain,
Marston on, 260 et seq.
salaries for clergymen, 302.

Rennell, Major J.

geographer, 273 and note.

Reserves

for Crown use and common

Resource, The

King's ship, 127.

Reynolds, E.

signs address to Governor Bligh, 159.
signs address to Paterson, 159.

Richard and Mary (ship)

arrival of, 106.

Adam

address to Governor Bligh, 180.

Alex.

ship owned by, in Van Diemen's Land, 6

tenance of, 102.

s, Acting-Lieutenant C.

charge of the Integrity, 112 (note), 201 and

s, Assistant-Surgeon

of New South Wales Corps, 184

s, William

address to Governor Bligh, 180.

on, M. M.

Australian poet, 204 (note).

at, 204, 230.

on, R. J.

constable at Hawkesbury, 54.

attendant of Government mills, 140.

hip)

of, 818.

ure of, 819.

r of, 742 *et seq.*

landed by, at Hobart, 753.

ly

manufactured at, 237.

ine

address to Governor Bligh, 191.

major

of the Royal Marines, 15.

R.

constable at Hawkesbury, 54.

charge of public buildings, &c., 140, 164.

and live-stock of, 408.

William

address to Governor Bligh, 191, 237 (note).

T.

Commandant of Sydney Loyal Association, 91.

merino sheep from Captain Waterhouse,

O.

of the Brothers, 271, 272,

are remitted, 573, 633, 673.

See "Navy, The."

officers, 233.

capture of, 40, 237, 357.

Sandal-wood

the trade in, 89, 92.

duty on, removed, 761, 798, 800.

Santa Anna

arrival of, 234.

departure of, 405, 819.

Sarah, The

arrival of, 818.

departure of, 819.

Savage, John

surgeon, 21, 71, 139 and note, 202, 204 (note), 230, 263.

introduced vaccination into colony, 202.

services of, 202.

land and live-stock of, 408.

Savary, Captain

officer of New South Wales Corps, 183, 184, 403.

Sawyers

services of, required, 173.

Seals

fisheries in Australian waters, 88, 89.

See also "Whaling Industry," and "Fisheries."

Secretary to Governor

duties of, 136.

Senior, Ensign

promoted to lieutenantcy, 817.

Seringapatam (ship)

arrival of, 818.

departure of, 819.

Settlers

debts of, due to Crown, 14.

classes of, 145-7, 288.

address of, 188, 190.

necessitous, relief of, 186.

terms offered to, 305, 335.

land and live-stock held by, 408.

encouragement of, 592.

address of, to Paterson, 596, 635-7.

complaints of, against Macarthur, 596, 597.

favourable to Bligh, 627, 676, 694, 703.

petition of, to Castlereagh, 802.

Sever, —

special constable at Hawkesbury, 54.

Seymour, J.

witness in case of Tetley and Lye v. Short, 215.

Shaffrey, J.

signs address to Governor Bligh, 180.

Sharp, E.

master of the Ceres, 126.

Shea, J.

signs address to Governor Bligh, 180.

occupies house on Crown reserves in Sydney, 275.

Shee, Sir G.

promises a grant of land to Dr. Townson, 287
(note), 299.

succeeds Cooke as Under-Secretary, 299.

Sheep

See "Live Stock."

Shelley, W.

signs petition to Castlereagh, 804.

Sherrard, John

land and live-stock of, 408.

Sherwin, W.

appointed storekeeper, 529.

Shipping

arrivals—

Admiral Gambier, 818.
 Albion, 234, 271, 404.
 Alexander, 234.
 Amethyst, 404.
 Ann, 818.
 Argo, 125, 234.
 Atlantic, 125, 234.
 Aurora, 125, 234, 404.
 Britannia, 125.
 Brothers, The, 125, 271, 818.
 City of Edinburgh, 612, 818.
 Commerce, 271.
 Criterion, 125.
 Cumberland, 818.
 Dart, 271, 818.
 Duchess of York, 271, 404.
 Duke of Portland, 404.
 Dundee, 818.
 Eagle, 818.
 Eliza, 612.
 Eliza Richards, 41.
 Elizabeth, 128, 235, 819.
 Endeavour, 128.
 Ferret, 404.
 Fortune, 125, 612, 818.
 Fox, 818.
 General Wellesley, 259, 271.
 Grand Sachem, 404.
 Halcyon, 818.
 Hannah and Sally, 271.
 Harrington, 818.
 Hero, 818.
 Hope, 271.
 Indispensible, 404.
 Jenny, 404.
 King George, 125, 234, 818.
 Lady Nelson, 818.
 Lucy, 125.
 Mercury, 818.
 Parramatta, 271, 404.
 Pegasus, 348 (note), 404.
 Perseverance, 818.
 Porpoise, 818.
 Recovery, 709, 818.
 Richard, 125.

Shipping

arrivals—continued.

Richard and Mary, 125.
 Rose, 818.
 Santa Anna, 234.
 Sarah, 818.
 Seringapatam, 818.
 Sinclair, Lady, 125, 710, 818.
 Sophia, 125.
 Speke, 818.
 Star, 125, 234, 818.
 Sydney, 125.
 Sydney Cove, 271.
 Tellicherry, 125.
 Trial, 818.
 Venus, 125.
 Vulture, 125.
 William Pitt, 97, 113, 125.
 Young William, 404, 818.

departures—

Albion, 235, 272, 405, 806, 819.
 Alexander, 235.
 Amethyst, 405, 819.
 Argo, 126, 235.
 Atlantic, 126, 235.
 Aurora, 126, 235, 405.
 Britannia, 235.
 Brothers, 272, 630 (note), 673, 819.
 Ceres, 126.
 City of Edinburgh, 819.
 Commerce, 272.
 Criterion, 126.
 Cumberland, 819.
 Dart, 272, 631, 819.
 Duchess of York, 272, 405.
 Duke of Portland, 405.
 Dundee, 819.
 Eagle, 819.
 Eliza, 125.
 Elizabeth, 235, 272, 405, 819.
 Estramina, 819.
 Ferret, 405.
 Fortune, 819.
 Fox, 819.
 General Wellesley, 272.
 Grand Sachem, 405.
 Hannah and Sally, 405.
 Harrington, 272.
 Hero, 819.
 Hope, 272.
 Indispensible, 405.
 King George, 126, 235, 819.
 Lucy, 272.
 Mercury, 819.
 Parramatta, 272.
 Pegasus, 819.
 Perseverance, 272, 819.
 Recovery, 819.
 Richard and Mary, 235.
 Rose, 819.

res—continued.

Anna, 405, 819.

, 819.

apatam, 819.

ir, Lady, 235, 819.

a, 126, 235.

126, 272, 819.

y, 126.

very, 126.

nent of Colonial vessels, 43.

lding, 108, 145, 339.

entered inwards, 125, 197, 234, 271, 404, 19.

leared outwards, 126, 235, 272, 405, 819.

ulations, 193, 258, 263, 267.

id trade, 356.

aptain J.

of, with Bligh, 32, 46, 47, 55, 74, 81, 83, 36 (note), 254, 415, 705.

of severity against, by his officers, 203, 236 (note).

ion of, as second captain of the Porpoise, t sea, 214 *et seq.*

against Tetley and Lye by, 223, 224 (note).

England under arrest, 236 and note.

of, 236 (note).

nt for, 174, 402, 415.

d by Court-Martial, 388, 705, 755.

, 416.

rom—

eden, 31.

gh, 74, 83, 211, 223.

e, 414.

—

ooke, 174 (note).

Bligh, 211.

J.

onstable at Hawkesbury, 54.

l to Governor Bligh, 262, 308.

Lady M.

t, 32.

f, 125, 710, 818.

e of, 235, 819.

—

onstable at Hawkesbury, 54.

P.

f the Ferret, 404, 405.

Captain

the Royal Marines, 97.

; W.

ress to Governor Bligh, 192.

—

—

obert Brown, 10.

hn

ress to Paterson, 637.

ition to Castlereagh, 804.

Smith, R.

master of the Dart, 271, 272.

Smith, Robert

signs petition to Castlereagh, 804.

Smith, Seth, junior

master of the Amethyst, 404, 405.

Soldiers

See "Military Forces."

Solomon, S.

signs address to Governor Bligh, 257.

Sophia

arrival of, 125.

departure of, 126, 235.

South Creek

bridge over, 27.

Sparrow, J.

signs address to Governor Bligh, 182.

Speedwell, The

Colonial vessel, 128.

Speke, The

arrival of, 818.

Spence, J. C.

master of the Duke of Portland, 404, 405.

Spencer & Co.

owners of the Richard and Mary, 125, 235.

Spirits

importation and sale of, 1, 12, 229, 249, 235, 585, 612, 741, 753, 805.

illicit distillation of, 41, 72, 84, 85, 93, 115, 251, 253, 365, 740, 753, 780.

purchased from an American, 42.

distribution of, 337, 724.

unlicensed vendors of, 69.

seizures of, 91.

purchasing power of, 250.

bartering with, prohibited, 253, 352, 400, 710.

supplies for domestic use, 511.

soldiers' allowances, 530.

a means of exchange, 622.

brought by the Jenny, 585, 670.

suppression of intemperance, 693.

landed at Hobart by ship Rose, 753.

profits of rum sellers, 801.

Standert, W. A.

agent of Captain Flinders, 286.

Star (ship)

arrival of, 125, 234, 818.

departure of, 126, 272, 819.

St. Barbe & Co.

owners of the Tellicherry, 125, 126.

Stephens, Corporal W.

witness in case of Tetley and Lye v. Short, 215.

Sterbeck, D.owner of the *Aurora*, 125, 126, 234, 235.**Stevens, D.**owner of the *Ceres*, 126.**Stewart, J.**master of the *Venus*, 125.**Stills**seizure of Macarthur's, 332 *et seq.*, 364, 365, 438, 444, 490, 493.

See also "Spirits."

Stock

See "Live-stock."

Stockfish, H. T.

signs address to Governor Bligh, 192, 237 (note).

Stores, Government

robbed at Port Dalrymple, 35.

valuation of stocks at Sydney, 102.

supplies of food, 247, 732.

receipts and expenditure, 252.

supplies from, 539.

Johnston's account of, and of live-stock, 590.

abuses in connection with, 733.

alleged appropriation by Macarthur, 802.

Strawberries

cultivation of, 296.

Stroud, John

appointed storekeeper, 709.

Stubbs, J.

signs address to Governor Bligh, 199.

Stubbs, Sarah

signs address to Governor Bligh, 192.

Stubbs, T.

signs address to Governor Bligh, 189.

Sullivan (Under-Secretary)

letters to—

from Paterson, 264, 280.

from Luttrell, 291.

Superintendents

duties of, 139.

Supply, H M.S.

King's ship, 127.

condemned, 120.

Surgeons

duties of, 137, 138.

Surveyor of Lands

duties of, 139.

Sutton, W.

storekeeper at Newcastle, 140.

land and live-stock of, 408.

Sutor, George

account of the arrest of Bligh, 623.

signs address to Paterson, 637.

trial of, 802 (note).

signs address to Castlereagh, 804.

letter from—

to Campbell, 636.

Swain, W.master of the *Atlantic*, 125, 126, 234, 235.**Swine**

See "Live-stock."

Sydney

population of, 44, 45, 131, 132, 231, 232, 239, 1

improvements in, 359.

Phillip's plan of, 359.

Government reserves at, 359.

Sydney Cove, The

arrival of, 271.

Sydney (ship)

cargo of skins and oil, 102, 103.

arrival of, 125.

departure of, 126.

loss of, 259.

Symons, Lieutenant J.Acting-Lieutenant of the *Lady Nelson*, 202.

superseded by Kent, 594.

letters to—

from Bligh, 383.

from Johnston, 539, 548, 549, 550, 565, 521

letters from—

to Johnston, 539, 543, 549, 550, 565, 522.

Tellicherry, The

transport ship, 19, 20, 21, 61.

loss of, 259.

arrival of, 125.

departure of, 126.

Tench, Colonel

his opinion of Bligh, 728.

friendly to Macarthur, 788.

letter from—

to E. Macarthur, 727.

Tetley, Lieutenant J. S.charges by, against Captain Short, 208 *et seq.* (note).

charges against, by Captain Short, 223, 234 (

letter from—

to Bligh, 209.

Thompson, A.

license for brewing and selling beer, 72.

owner of the Colonial vessel, *Hawkesbury*,owner of the *Speedwell*, 128.ship-builder at *Hawkesbury*, 128.

A.
 held at house of, for purpose of drawing
 res to Governor Bligh, 237 (note).
 presses to Governor Bligh, 237 (note),
 1, 597.
 , 262 (note).
 ing concerned in illicit distilling, 268.
 arm, 262, 267, 270, 307, 389, 410, 450.
 signature to address to Bligh, 410.
 tion of, after arrest of Bligh, 450.
 arthur, dispute concerning payment of
 sory note, 435 *et seq.*
 om—
 h, 262, 267, 270, 307, 389, 410.

B.
 lress to Governor Bligh, 257.

James
 21.

R.
 of the Venus, 93.

C.
 idant at Newcastle, 160 and note.
 d magistrate, 529.
 from Newcastle, 817.
 Orders of, 836.

J.
 dress to Paterson, 597.

'Leave Men.
 ons concerning, 28, 47.
 See "Convicts."

Right Hon. G.
 —
 East India Company, 240.

O.
 dress to Governor Bligh, 237 (note).

native, 397.

to Sydney, 8.

d cultivation of, 295.

to Sydney, 3.

bie
 works at, 43.

J.
 tion for land, 175, 286.
 n the New South Wales Corps, 286 (note).
 s King as Lieutenant-Governor of Norfolk
 d, 287.
 rom—
 indham, 286.

Townson, Dr. R.
 arrives in New South Wales, 287.
 promised a grant of land, 287, 402.
 complains of Bligh's treatment, 570, 738.
 Johnston refuses to grant land to 739.
 letters from—
 to Windham, 299.
 to Castlereagh, 570, 738.

Trade
 advisability of excluding foreigners, 41.
 Banks's remarks upon, 87, 107.
 with the Islands, 92, 762.
 East India Company's rights, 110, 222, 223, 241
et seq., 281, 284 *et seq.*, 293, 742 *et seq.*
 retailers at Sydney, 306.
 cost of equipping vessel for Island trade, 762.
 condition of, 356.
 free—petition for, 411.

Trade, Board of
 letters from—
 to East India Company, 103.

Trethaway, H.
 signs address to Governor Bligh, 257.

Trial, The (ship)
 arrival of, 818.

Tuckwell, R.
 signs address to Governor Bligh, 191.

Tully, P.
 signs address to Governor Bligh, 257.

Turnbull, John
 signs address to Paterson, 597, 636.
 signs petition to Castlereagh, 804.

Turnbull, R.
 master of the Indispensible, 404, 405.

Tyler, T.
 sells land to Governor Bligh, 262 (note).

Ultimo
 residence of John Harris, 349.

Underwood, J.
 fined and imprisoned for writing a letter to Go-
 vernor Bligh, 278 (note).

Vaccination
 introduced by Surgeon Savage, 203.

Van Diemen's Land
 discovery of the North Esk, 30.
 state of settlements at, 34, 767.
 robbery of store at Port Dalrymple, 35.
 removal of settlers to, from, Norfolk Island, 35,
 283, 599.
 Caley's exploration of, 65.
 Mount Wellington examined, 66.
 climate, 67, 122, 768.
 transactions at Hobart Town, 94 *et seq.*

Van Diemen's Land

- live-stock at Hobart Town, 97.
- population returns, 108, 119, 121, 122, 197, 289, 290, 535, 772.
- local advantages of Port Dalrymple, 120.
- live stock at Port Dalrymple, 121, 168, 403.
- overland from Launceston to Hobart, 256, 265, 262.
- Paterson reports from Yorktown, 284, 290.
- supplies for Hobart Town, 338 *et seq.*, 368, 784.
- settlements at, 300.
- stores for Hobart and Port Dalrymple, 368.
- comparative advantages of Hobart and Port Dalrymple, 402, 773.
- supplies at, 767.
- dearth of convict labourers at, 784, 812.
- See also "Collins"; and "Paterson."

Vendue Masters

- appointment of, 811.

Venus (brig)

- seizure of, 98, 99.
- arrival of, 125.
- departure, 126.
- Colonial vessel, 128.

Villiers, Ensign

- Acting-Commandant at Newcastle, 160 (note).
- magistrate at Newcastle, 757.
- relieved by Lawson, 817.

Volunteers

- the Loyal Association, 70, 143, 267, 531, 532.
- virtualised from the public stores, 761.

Vulture (ship)

- arrival of, 125.
- departure of, 235.

Walker, J.

- master of the *Sophia*, 235.
- master of the *Elizabeth*, 272.

Wallace, M.

- witness in Court-Martial on D'Arcy Wentworth, 320.

Warby, J.

- constable, 186.

Waring, W.

- signs address to Governor Bligh, 191.

Waterhouse, Captain H.

- purchase of merino sheep from the Cape, 89, 100 *et seq.*, 179.
- leased garden ground from Governor Hunter 170.
- merino sheep introduced by, 700.
- letter from—
- to Banks, 116.
- letter to—
- from Banks, 109.

Watson, William

- master of *Young William*, 404, 405.

Wells and Reiby

- purchased cedar from King's Town,

Wentworth, D'Arcy

- reprimanded for disobedience of Capt 276, 314 *et seq.*, 329.
- charges against Governor Bligh by, 3
- Court-Martial on—proceedings at, 328, 345, 522 *et seq.*, 663.
- suspended by Bligh, 368, 450.
- reappointed, 757.
- evidence of Francis Oakes concerns application for leave of absence, 397
- land and live-stock of, 408.
- acquittal of, 527.
- letters from—
- to Piper, 204.
- to Castlereagh, 313, 314.
- to Jamison, 327.
- to Bligh, 328.
- letters to—
- from Castlereagh, 314 (note).
- from King, 324.
- from Jamison, 326, 327.
- from Johnston, 600.

Westgarth, J.

- signs address to Governor Bligh, 25

Whaling Industry

- in Van Diemen's Land, 95.
- the trade generally, 101, 241 *et seq.*,
- cargo of the *Sydney*, 102, 103.
- oil and skins exported, 169.
- See also "Trade"; and "Fish"

Wheat

- price of, 12, 14, 222, 248, 390, 810.
- destroyed by moths, 37, 114, 115.
- destroyed by flood, 51, 53, 60, 60, 61 246.
- trafficking in, 69.
- acres under cultivation, 133, 279.
- supplies for Government store, 204.
- payment for harvesting, 205.
- imported from East Indies, 254, 256
- See also "Agriculture."

Wheeler, T.

- witness in Court-Martial on D'Arcy 319.

Whipsey C.

- master of *Grand Sachem*, 404, 405.

White, John (late Surgeon)

- allowance to, 233.

Whitehouse, A.

- signs address to Governor Bligh, 11

Whitney, D.

- letter from—
- to J. Harris, 62.

Whittle, T. (Serjeant-Major)

signs address for non-commissioned officers and privates of New South Wales Corps to Governor Bligh, 255.
ordered to remove his house by Bligh, 588.

Wild Cattle

See "Cattle."

Wilkinson, J.

master of the *Star*, 126, 234, 272.

William and Mary, The

Colonial vessel, 128.

William Pitt (ship)

arrival of, 97, 113, 125.
departure of, 126.

Williamson, J.

purchases merino sheep from Waterhouse, 111.
land and live stock of, 408.
appointed Commissary by Johnston, 453.
letter to—
from Johnston, 600.

Wilshire, James

land and live-stock of, 408.
examination of—Bligh and public stores, 447.
appointed Deputy-Commissary, 728.

Wilson, C.

signs address to Paterson, 597, 636.

Wilson, Campbell, & Co.

owners of the *Albion*, 234, 271, 272.
owners of the *Elizabeth*, 271, 272.

Wilson, Captain

officer of the New South Wales Corps, 183, 184, 403.
land and live stock of, 406.

Wilson, Captain W.

agent in London for Rev. S. Marsden, and Campbell & Co., 100 (note).
letter from—
to Banks, 100.

Winch, Mrs.

poultry rearing, 170.

Windham, Right Hon. W.

succeeds Castlereagh, 120 (note).
letters from—
to Bligh, 117, 224, 229, 238.

Windham, Right Hon. W.

letters to—
from Greville, 75.
from Bligh, 174, 175, 199, 246, 259, 287, 349, 368.
from King, 185.
from Jenner, 202.
from J. Townson, 286.
from Dr. Townson, 299.
from Piper, 377.

Woodhouse, J.

witness in case of Tetley and Lye v. Short, 220.

Woodoo

visit of, to Sydney, 3

Woodriff, D.

land and live-stock of, 408.

Wool

prospects of the trade, 89, 294, 303, 353.
samples of, sent to England by Macarthur, 779.
See "Sheep" and "Live-stock."

Worth, B.

master of the *Brothers*, 125, 235.

Wrecks

the *Britannia*, 192.

Yarmouth, Lord

letter from—
to Lord Howick, 119.

York, Duke of

letters from—
to Castlereagh, 651, 782.
letters to—
from Castlereagh, 778, 813.
from the Judge-Advocate General, 70.

Yorktown

See "Van Diemen's Land."

Youl, T.

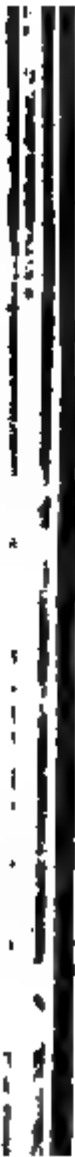
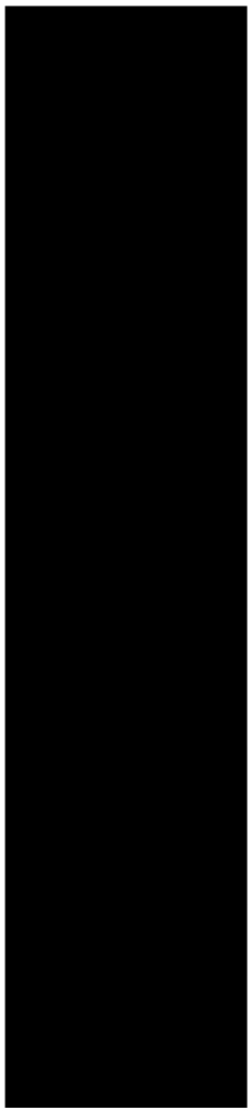
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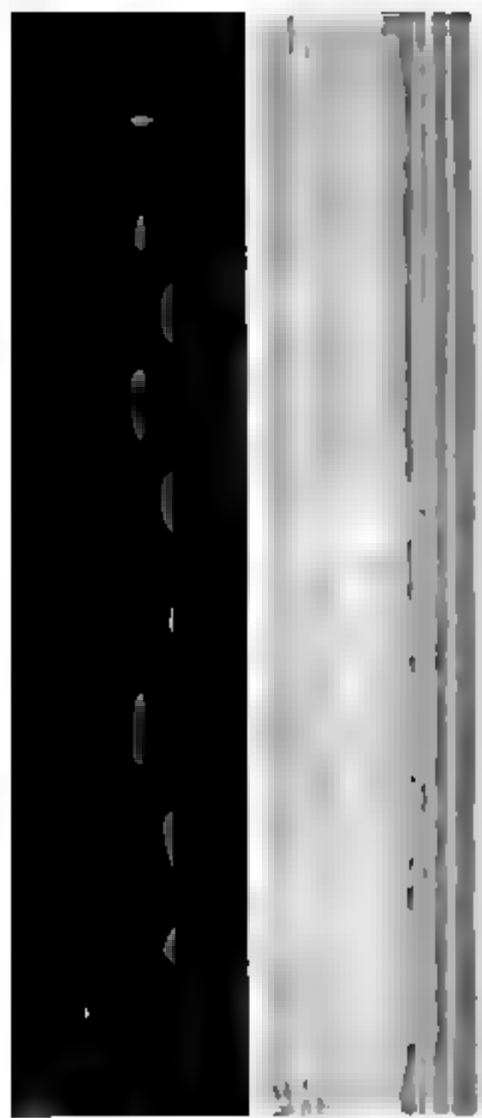
Young William, The

arrival of, 404, 818.
departure of, 405 819.

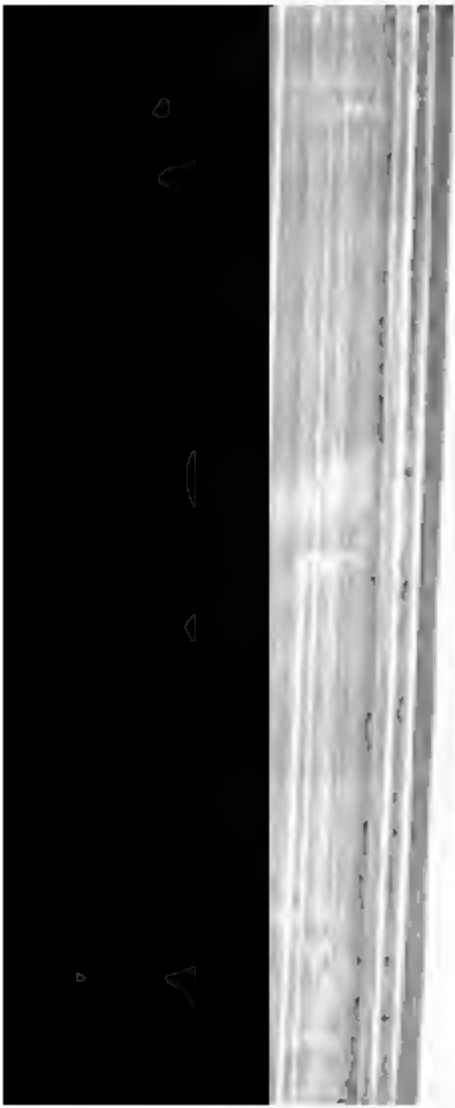
Yowman, —

special constable at Hawkesbury, 54.





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